

HB1001

STATE BUDGET (THOMPSON J) Appropriates money for capital expenditures, the operation of the state, K-12 and higher education, the delivery of Medicaid and other services, and various other distributions and purposes. Provides that the auditor of state is also known as the state comptroller. Provides that, after June 30, 2023, the auditor of state shall use the title "state comptroller" in conducting state business, in all contracts, on business cards, on stationery, and with other means of communication as necessary. Establishes the opioid settlement fund into which funds received from opioid litigation settlements must be deposited. Allows the budget committee to submit the budget report and budget bill or bills to the governor on or before the second Monday of January, or the third Monday of January in the year in which a gubernatorial election is held (instead of before that date). Requires the state personnel department to require a contractor, when contracting for health care coverage for state employees, to use value based coverage. Allows the Indiana economic development corporation to certify an applicable tax credit that exceeds the maximum allowable amount after review by the budget committee. Provides that specified expenses are eligible to be funded by the fund established under the regional economic acceleration and development initiative (READI). Provides that the READI program expires on June 30, 2026. Allows an individual to claim an increased exemption amount for a dependent child in the first year in which the exemption amount may be claimed for the child. Reduces the individual income tax rate to 2.9% by 2026 and eliminates all trigger provisions in current law. Allows a county fiscal body to impose a tax rate on the adjusted gross income of local taxpayers in the county for public health purposes. Establishes the regional public safety training fund. Repeals provisions relating to the establishment of the: (1) Indiana homeland security foundation; (2) Indiana homeland security fund; and (3) fire training infrastructure fund. Allows certain members of the public employees' retirement fund or Indiana state teachers' retirement fund to file an election to begin receiving retirement benefits while holding a position. Changes the state police pre-1987 benefit and supplemental pension benefit calculation from being based on the sixth year of service to the fourth year of service. Repeals the public mass transportation fund. Repeals the financial responsibility compliance verification fund. Changes the number of years of service on which the salary matrix for state police employees is based to 15 years (instead of 20 years). Requires the department of correction to deposit the amount appropriated for the county misdemeanor fund by a county's multiplier. Requires the office of Medicaid policy and planning (office) to: (1) develop a schedule for the review of Medicaid reimbursement rates; and (2) provide a copy of the schedule to the budget committee; not later than November 1, 2023. Increases the maximum amount of a grant made under the prekindergarten pilot program. Establishes the commission on improving the status of children fund to support the staffing and operations of the commission. Provides that a part of state user fees shall be deposited in the Indiana secured school fund. Repeals the distribution schedule for appropriations made for certain child development programs. Deletes reimbursement rate parameters for reimbursement of managed care organizations under the healthy Indiana plan. Extends the sunset of the collection of hospital assessment fees and health facility quality assessment fees from June 30, 2023, to June 30, 2025. Increases the total number of adult learner students at the Excel Centers for Adult Learners and Christel House DORS centers for whom the school may receive state funding. Provides that the parent of a student or an emancipated minor who attends an accredited nonpublic school and who meets financial eligibility requirements may request reimbursement of fees charged for curricular materials. Prohibits school corporations and charter schools from charging a fee for curricular materials to students. Repeals the charter and innovation network school grant program. Establishes the innovation network school grant program. Establishes the Indiana education scholarship account donation fund to accept donations for administration of the Indiana education scholarship account program. Repeals the special education fund. Establishes the outcomes based formula fund from which the commission for higher education may annually request distributions from the outcomes based formula fund for each state educational institution. Provides that state user fees remaining after required distributions shall be distributed to the state general fund (instead of the court technology fund). Makes certain amendments to the juvenile diversion grant program, the juvenile community alternatives grant program, and the juvenile behavioral health competitive grant pilot program (programs). Requires grants for the programs to be administered by the Indiana criminal justice institute in consultation with the juvenile justice oversight committee (oversight committee) and the grant process workgroup created by the oversight committee, taking into consideration the grant program report prepared and submitted to the commission on improving the status of children in Indiana by the oversight committee. Requires the state comptroller to deposit distributions of pro bono legal services fees received from the: (1) clerk of a circuit court; (2) clerk of a city or town court; or (3) Marion County small claims court; in the pro bono legal services fund. Provides that unexpended and unencumbered amounts appropriated to the legislative services agency in a state fiscal year ending before July 1, 2024, do not revert to the state general fund. Extends the judicial and legislative branch leave conversion pilot program through June 30, 2025. Provides for the calculation of salary increases for the governor and state elected officials. Provides for the calculation of salary increases for court officers. Requires the state comptroller to transfer \$80,000,000 from the tobacco master settlement agreement fund to the state construction fund on July 1, 2023. Provides that unexpended and unencumbered amounts appropriated from the federal economic stimulus fund in the state fiscal year ending before July 1, 2023, do not revert to the state general fund. Appropriates money for various purposes for the state fiscal year ending June 30, 2023. Provides that a certain amount of property tax revenue distributed to a school corporation's operations fund must be determined without regard to the property tax caps. Provides that the corresponding reduction in tax revenue to other political subdivisions must be allocated proportionately. Establishes phased-in maximum tax rates that apply to certain school corporations.

Requires the state comptroller to distribute a grant amount to schools based on a targeted amount of funding and the net collected revenue the school received from its operations fund levy in the previous calendar year. Establishes the credential completion grant. Removes pathways for choice scholarship eligibility. Increases the annual income maximum for choice scholarship eligibility. Provides that a school corporation is eligible for an academic performance grant. Defines "base student fundin

*Current Status:* 3/30/2023 - Senate Appropriations, (Bill Scheduled for Hearing)

HB1005 HOUSING (MILLER D) Establishes the residential housing infrastructure assistance program (program) and residential housing infrastructure assistance revolving fund (fund). Provides that the Indiana finance authority (authority) shall administer the fund and program. Provides that political subdivisions may apply to the fund for loans for certain infrastructure projects related to the development of residential housing. Provides that money in the fund may not be used for: (1) debt repayment; (2) maintenance and repair projects; (3) upgrading utility poles; or (4) consulting or engineering fees for studies, reports, designs, or analyses. Provides that loans from the fund must be allocated as follows: (1) 70% of the money in the fund must be used for housing infrastructure in municipalities with a population of less than 50,000. (2) 30% of the money in the fund must be used for housing infrastructure in all other political subdivisions. Requires the authority to establish a project prioritization system for the purpose of awarding loans from the fund, and specifies the criteria that must be included in the project prioritization system. Allows the authority to establish a leveraged loan program to or for the benefit of program participants. Requires the public finance director to prepare an annual report of the fund's activities for the legislative council and the budget committee. Provides that the fiscal body of a county may adopt an ordinance to designate an economic development target area. Removes the threshold conditions for establishing a residential housing development program and a tax increment allocation area for the program, including the condition that the governing body of each school corporation affected by the program pass a resolution approving the program before the program may go into effect. Changes the duration of a residential housing development program from 25 years (under current law) to 20 years after the date on which the first obligation for program is incurred. Makes a continuing appropriation.

*Current Status:* 3/30/2023 - added as cosponsors Senators Ford Jon and Charbonneau

HB1006 MENTAL HEALTH PROGRAMS (STEUERWALD G) Specifies the circumstances under which a person may be involuntarily committed to a facility for mental health services and specifies that these services are medically necessary. Establishes a local mental health referral program to provide mental health treatment for certain persons who have been arrested. Repeals obsolete provisions.

*Current Status:* 3/21/2023 - Committee Report amend do pass adopted; reassigned to Committee on Appropriations

HB1015 WORKSITE SPEED CONTROL PILOT PROGRAM (PRESSEL J) Requires the Indiana department of transportation (department) to establish the worksite speed control pilot program (pilot program) for the purpose of enforcing worksite speed limits. Requires that the department: (1) work with the state police department to administer the pilot program; and (2) enter into an agreement with the state police department to share information regarding the pilot program. Permits the department to contract with a third party vendor to assist in implementing the pilot program. Provides that an individual who is recorded by a worksite speed control system may not be assessed a civil penalty unless the violation is at least 11 miles per hour above the established worksite speed limit. Replaces the term "work zone" with "worksite" throughout the relevant statutes.

*Current Status:* 3/30/2023 - House Bills on Third Reading

HB1016 POLICE AND FIRE MERIT SYSTEMS (PRESSEL J) Allows a fire protection district or fire protection territory to establish a merit system. Requires a unit's legislative body or the governing board of a district or territory to hold a public meeting not later than October 31, 2023, to consider and vote on a resolution proposing to establish a merit system for certain eligible: (1) city and town police and fire departments and township fire departments; and (2) fire protection districts and fire protection territories. Provides that if a resolution is adopted and a majority of the active members of the department vote to approve the resolution, the merit system is established on January 1 following the vote. Provides that if the legislative body or governing board holds a public meeting and does not adopt a resolution approving the establishment of a merit system, the active members of the department may, not later than October 31, 2024, hold a meeting to vote on whether the members recommend the establishment of a merit system. Provides that if a majority of the active members vote to recommend the establishment of a merit system, the legislative body or governing board shall, after receiving notice of the vote, hold a public meeting not later than April 30, 2025, to consider whether to establish a merit system for each eligible department. Specifies the manner by which a merit system established under these provisions may be amended or dissolved. Repeals a provision containing definitions and moves the definitions to another location. Makes conforming amendments.

*Current Status:* 3/30/2023 - added as second sponsor Senator Rogers

HB1024 PUBLIC WORKS PROJECTS (TORR J) Provides that a contractor that employs 10 or more employees on a design-build public works project must provide its employees access to a training program applicable to the tasks to be

performed in the normal course of the employee's employment with the contractor on the public project. Provides that a tier 1 or tier 2 contractor that employs 50 or more journeymen must participate in an apprenticeship or training program that meets certain standards. Requires design-builders and any member of a team working on a design-build public works project to comply with certain statutes. Provides that a public agency awarding a contract for a construction manager as constructor project may not take certain actions based on a bidder's, offeror's, or contractor's entering into, refusing to enter into, adhering to, or refusing to adhere to an agreement with a labor organization.

*Current Status:* 3/29/2023 - Senate Pensions and Labor, (Bill Scheduled for Hearing)

HB1025 FIREFIGHTER DISCIPLINE (TORR J) Provides that a fire department of a fire protection district or fire protection territory is subject to certain disciplinary and due process requirements.

*Current Status:* 3/21/2023 - Returned to the House without amendments

HB1035 TOWNSHIP ASSESSORS (PRESSEL J) Provides that, in counties that have one or more township assessors, the county election board shall place on the ballot at the November 2024 general election a public question asking whether the office of township assessor should be abolished or continued. Provides that a county election board shall tabulate the votes cast on the public question and certify the results to the department of local government finance. Provides that if a majority of the voters voting on the public question vote "yes", the office of each township assessor in the county is abolished, effective January 1, 2026. Provides that if a majority of voters voting on the public question vote "yes": (1) employment positions as of December 31, 2025, of each township assessor in the county are transferred to the county assessor; (2) real and personal property duties of each township assessor in the county are transferred to the county assessor; (3) obligations outstanding on December 31, 2025, of each township assessor in the county are transferred to the county assessor; and (4) the funds of each township assessor in the county on hand for the purpose of carrying out the property assessment duties in the amount determined by the county auditor are transferred to the county assessor. Provides that before October 1, 2025, the county assessor shall interview, or give the opportunity to interview to, each individual who: (1) is an employee of a township assessor in the county; and (2) applies before September 1, 2025, for an employment position. Provides that the township shall transfer to the county assessor all revenue received after the date of the transfer that is received by the township for the purpose of carrying out property assessment duties in the amount determined by the county auditor.

*Current Status:* 2/23/2023 - Referred to Senate Local Government

HB1040 REQUIREMENTS FOR ELECTED OFFICIALS (LEHMAN M) Provides that if an examination of an audited entity is unable to be performed because the audited entity's accounts, records, files, or reports are not properly maintained or reconciled, the entity may be declared unauditabile. Requires an unauditabile entity to bring its accounts, records, files, or reports into an auditabile condition within 90 days. Requires the state board of accounts (SBOA) to publish a list of entities declared to be unauditabile on the SBOA's website. Provides that if an entity is declared unauditabile and the fiscal officer is unable to perform the fiscal requirements of their position, the entity is required to hire outside assistance for guidance or to perform the fiscal requirements. Clarifies an exception regarding the liability of an elected official for acts that constitute gross negligence or intentional disregard of the official's duties. Requires the SBOA to annually call a conference for: (1) city and town controllers and clerk-treasurers, newly appointed city and town controllers, and city and town clerk-treasurers elect; and (2) township trustees and township trustees elect. Provides that elected officials must attend training every two years and that the SBOA shall keep attendance of elected officials and publish it on the SBOA's website. Makes an exception for school corporation treasurer personal liability. Provides that if there is an office of town clerk-treasurer that is vacant, and the town legislative body is unable to fill the office, the town legislative body may either: (1) enter into a local agreement with the town clerk-treasurer and town legislative body of another town in the state to assist a selected town legislative body member in performing the duties of the clerk-treasurer's office; or (2) enter into a contract with a certified public accountant to assist the town legislative body member in performing the duties of the clerk-treasurer's office. (Current law provides that the town legislative body may only enter into a contract with a certified public accountant after the town legislative body is unable to reach an agreement with another town.) Provides that if, after reasonable diligence, a town may hire any qualified person to perform the duties of the clerk-treasurer's office until the vacancy can be filled, or until the end of the current clerk-treasurer's term, whichever is first. Provides that newly elected officials shall complete five hours of training before taking office. Provides that elected officials shall certify completion of training requirements to the SBOA annually. Excludes self-supporting school lunch and the rental or sale of curricular materials as programs that may be established as separate funds. Repeals obsolete provisions. Makes technical corrections.

*Current Status:* 3/30/2023 - Third reading passed; Roll Call 276: yeas 45, nays 0

HB1041 STATE BOARD OF ACCOUNTS (LEHMAN M) Provides that the state board of accounts (SBOA) is designated as the independent external auditor of audited entities and is subject to applicable professional accounting standards. Requires annual reports to be prepared, verified, and filed with the state examiner as set forth in the uniform compliance guidelines. Requires all appointments of field examiners be made solely upon the ground of fitness in accordance with professional accounting and auditing standards. Provides that if an examination of an audited entity is

unable to be performed because the audited entity's accounts, records, files, or reports are not properly maintained or reconciled, the audited entity may be declared to be unauditible. Provides that an audited entity that is declared unauditible shall bring its accounts, records, files, or reports into an auditible condition within 90 days. Requires the SBOA to publish a list of audited entities declared unauditible on its website. Revises conditions under which the state examiner may undertake an examination based on a violation of the law. Requires the SBOA to approve a request by an audited entity to opt out of examinations and engage a certified public accountant to conduct examinations if, within the last six years, the SBOA has not issued an examination or special investigation report critical of the audited entity's internal controls and there have been no adverse reports. Provides that the SBOA may terminate its approval of the use of a certified public accountant if certain requirements are not met. Revises the provision regarding field examiner traveling expenses. Makes changes to certain reporting, resolution, and disclosure requirements. Simplifies the provision regarding parties and a plaintiff's right of recovery. Removes provisions regarding additional powers of the state examiner and attorney general. Provides that if the attorney general brings an action against an official bond, official bonds, or a crime insurance policy, the cause may be brought in the name of the state of Indiana upon the relation of the attorney general as plaintiff. Repeals a provision regarding the withdrawal or removal of counties from solid waste management districts. Repeals a provision regarding bonds and crime policies for faithful performance. Repeals a provision regarding examination reports, requisites, performance of public works, and SBOA powers. Repeals a provision regarding copies of reports filed with libraries, public inspections, and request renewals. Makes technical and conforming changes.

*Current Status:* 3/30/2023 - Third reading passed; Roll Call 277: yeas 47, nays 0

- HB1046 TRANSPORTATION MATTERS (MORRISON A) Specifies that the county or municipality that did not approve the relocation of an outdoor advertising sign is responsible for compensation of the taking of the outdoor advertising sign. Provides that an owner may relocate an outdoor advertising sign that is subject to a pending eminent domain action. Provides that a military base reuse authority may apply for a grant from the local road and bridge matching grant fund for an eligible project if the military base reuse authority owns and maintains the road or bridge infrastructure. Provides that the required local matching amount by the reuse authority to receive a grant from the fund is equal to 50% of the total cost of the eligible project. Provides that a transit development district may be established in a municipality that is located in a county that is a member of the development authority and has operated regularly scheduled commuter bus services to Chicago, Illinois, with prior financial assistance from the development authority, and shuttle bus services that transport riders to a train station or a regular train stop along the Chicago to South Bend line. Provides for a public transportation corporation to expand service beyond the boundary of the county in which the corporation is located if two or more counties have entered into an interlocal cooperation agreement to expand service.
- Current Status:* 3/30/2023 - added as cosponsor Senator Charbonneau
- HB1048 TECHNICAL CORRECTIONS (ENGLEMAN K) Addresses technical errors in the Indiana Code, including spelling, tabulation, formatting, grammatical, and cross-reference issues. Makes conforming amendments to align the style of population parameter wording. (The introduced version of this bill was prepared by the code revision commission.)
- Current Status:* 3/23/2023 - Signed by the President Pro Tempore
- HB1049 TRANSPORTATION MATTERS (PRESSEL J) Provides that the department of transportation (department) may accept a proposal and award a contract for the construction, improvement, or maintenance of a road if the lowest responsive and qualified bid is less than \$3,000,000. (Current law says if the lowest responsive and qualified bid is less than \$1,000,000.) Provides that the department may accept a proposal and award a contract for the construction, improvement, or maintenance of a road if the lowest responsive and qualified bid is one of three or more bids received by the department for the contract. (Current law says if the lowest responsive and qualified bid is one of four or more bids received by the department for the contract.) Authorizes the department to use construction manager general contractor and progressive design-build delivery methods for certain projects. Defines a "bicycle traffic control signal". Provides that a person may cautiously enter an intersection and make a left turn if turning from the left lane or a designated left-turn lane of a one-way street into another one-way street with the flow of traffic. Provides for the requirements and explanations of colors for bicycle traffic control signals exhibiting colored lights. Urges the legislative council to assign certain topics to an existing study committee. Makes conforming and technical changes.
- Current Status:* 4/3/2023 - Concurrences Eligible for Action
- HB1050 VARIOUS MOTOR VEHICLE MATTERS (PRESSEL J) Expands the definition of "alternative fuel" to include hydrogen, hythane, electricity, or any other fuel used to propel a motor vehicle on a highway that is not subject to certain taxes. Provides for the taxation of motor carriers using alternative fuels other than butane or propane. Provides that a carrier subject to certain imposed motor vehicle taxes is exempt from submitting to the department of state revenue (department) quarterly reports of the operations of commercial motor vehicles giving rise to the carrier's tax liability as the department may require under certain circumstances. Provides that a carrier that is exempt from the quarterly reporting requirements: (1) must continue to file a quarterly return to obtain a promotional use credit; (2) is required to keep books and records; and (3) is exempt from certain requirements regarding an annual permit, a cab card, and

an emblem. Defines "lawful status". Repeals the term "credential". Defines "physical credential". Provides that the bureau of motor vehicles (bureau) may issue a driver's license, permit, or identification card to an individual granted parole in the United States under 8 U.S.C. 1182(d)(5). Provides that the bureau may issue rules, including emergency rules, to provide a driver's license, permit, or identification card to an individual granted parole, as well as registrations and certificates of title for motor vehicles of individuals granted parole. Provides for when a credential issued by the bureau must be in the form of a physical credential or a mobile credential. Provides for the form of the mobile credential. Provides that, beginning July 1, 2023, and each year thereafter, the bureau is required to provide the executive director of the legislative services agency the name of a special group for whom: (1) 10 years have elapsed since the special group was admitted into the special group recognition license plate program; or (2) 10 years have elapsed since the previous review of the special group by the interim study committee on roads and transportation. Provides that if a special group was subject to a decennial review before July 1, 2023, then the next review occurs in the year which is a multiple of 10 years after the year of the special group's admittance to the special group recognition license plate program. Specifies that the supplemental fees for a hybrid vehicle and an electric vehicle for the 2024 registration year are to be determined using the gasoline tax index factor. Requires a person who drives a vehicle approaching a disabled stationary vehicle with flashing hazard warning signals to do either of the following, while proceeding with due caution: (1) Yield the right-of-way by making a lane change into a lane not adjacent to that of the disabled stationary vehicle, if possible with due regard to safety and traffic conditions, if on a highway having at least four lanes with not less than two lanes proceeding in the same direction as the approaching vehicle. (2) Reduce the speed of the vehicle to a speed at least 10 miles per hour less than the posted speed limit, maintaining a safe speed for road conditions, if changing lanes would be impossible or unsafe. Provides that a person who does not yield the right-of-way or reduce the speed of the person's vehicle commits a Class B infraction. Provides that the term "driver training school" does not include a business enterprise that educates or trains a person or prepares a person to operate a commercial motor vehicle. Provides that certain entities are immune from civil liability for an act or omission occurring during a motorcycle operator safety course that results in an injury or property damage. Provides that administrative procedures of the bureau do not apply to a hearing requested by a nonresident regarding the suspension of the driving privileges of the nonresident for failure to meet the terms of a citation. Provides that a document preparation fee that is less than \$200 is permitted and does not constitute an unfair practice. Makes conforming changes.

*Current Status:* 3/27/2023 - added as cosponsor Senator Randolph

HB1055 PUBLIC SAFETY MATTERS (FRYE R) Increases the number of deputies, from two to six, that a town marshal may have to participate in the town marshal training program (Tier II training program) established by the law enforcement training board (board). Requires the board to adopt rules establishing a conservancy district marshal basic training program. Makes changes to the jurisdiction of a hospital police department. Makes changes to certain definitions of "law enforcement officer" to include officers employed by a hospital police department. Provides that a member of a city police or fire department is not subject to residency requirements. Eliminates a provision that provides that a city with a population of less than 7,500 may adopt an ordinance that requires a member of a city police or fire department to reside within the county in which the city is located. Provides that members of the police and fire departments of a town or special service district are not subject to residency requirements but must: (1) have adequate means of transportation into the jurisdiction served by the member's department; and (2) maintain telephone service to communicate with the department. Provides that members of the fire department of a township, fire protection district, or fire protection territory are not subject to residency requirements but must: (1) have adequate means of transportation into the jurisdiction served by the member's department; and (2) maintain telephone service to communicate with the department. Repeals provisions: (1) relating to the establishment of residency requirements for a police or fire department of a town with a population of less than 7,500; (2) relating to the establishment of residency requirements for a township fire department of a township with a population of less than 7,500; and (3) that exempt a member of a town police or fire department or a township fire department from residency requirements under certain circumstances. Repeals a provision relating to the jurisdiction of hospital police departments.

*Current Status:* 3/30/2023 - House Bills on Second Reading

HB1063 TOWN OF HARDINSBURG (ENGLEMAN K) Legalizes the action of the county commissioners of Washington County dissolving the town of Hardinsburg. Repeals an 1893 act that legalized the incorporation of the town of Hardinsburg.

*Current Status:* 2/23/2023 - Referred to Senate Local Government

HB1142 LAW ENFORCEMENT RECORDINGS (PRESCOTT J) Provides that the direct cost that a state or local agency may charge for providing a copy of a law enforcement recording (recording) includes labor costs incurred to: (1) obscure nondisclosable information in the recording; and (2) perform an administrative review of the recording to determine if all nondisclosable information has been obscured. Specifies that the costs of reviewing and obscuring nondisclosable electronic data may not exceed reasonable attorney's fees if the actions are performed by an attorney. Provides that if a court issues an order for disclosure of a law enforcement recording, any copy of the recording must be made by the public agency. Makes a technical correction.

- HB1157 RESIDENTIAL HOUSING DEVELOPMENT PROGRAM (MOED J) Makes the following changes regarding Marion County redevelopment: (1) Revises allocation area requirements for the redevelopment commission (commission) to establish a housing program. (2) Allows the commission to establish a residential housing development program (residential housing program) and a tax increment funding allocation area for the residential housing program, if the construction of new houses fails to reach a benchmark. Requires the department of local government finance, in cooperation with the city of Indianapolis, to determine eligibility for the residential housing program. Specifies the rights, powers, privileges, and immunities of the commission in implementing a residential housing program.  
*Current Status:* 4/4/2023 - Senate Tax and Fiscal Policy, (Bill Scheduled for Hearing)
- HB1167 LIVE STREAMING AND ARCHIVING MEETINGS (SMALTZ B) Requires governing bodies of state and local agencies (excluding a state supported college or university) to provide, on a publicly accessible platform: (1) live transmissions of public meetings; and (2) an archive of copies of the live transmissions with links to any meeting agendas, minutes, or memoranda. Provides that if a governing body does not have Internet capability for live transmission of public meetings, the governing body shall record the meeting. Provides that transmissions and recordings of public meetings may be destroyed after 90 days.  
*Current Status:* 3/30/2023 - Second reading ordered engrossed
- HB1173 UTILITY SCALE BATTERY ENERGY STORAGE SYSTEMS (PRESSEL J) Provides that a person may not: (1) construct a new utility scale battery energy storage system (BESS); or (2) expand the capacity of an existing BESS by more than 10% of the system's existing capacity; without the prior approval of the department of homeland security (department). Sets forth information that must be included in an application to the department for approval of the construction or expansion of a BESS. Provides that a new BESS, or an expansion of an existing BESS, must comply with the National Fire Protection Association's standard concerning stationary energy storage systems (NFPA 855). Provides that if a BESS is located less than 1/2 mile from the nearest 100 year flood plain, all of the system's equipment must be located at least two feet above the 100 year frequency flood elevation. Requires the operator of a BESS to provide a copy of the operator's emergency response plan for the BESS to the fire department responsible for providing fire protection services in the area in which the BESS is located. Authorizes the fire prevention and building safety commission (commission) to adopt rules to specify standards for the installation and operation of a BESS. Provides that the commission's rules must be consistent with NFPA 855. Provides that the commission's rules must include standards for: (A) chemical spill prevention and control; and (B) appropriate setbacks from surface water resources; for the installation and expansion of a BESS. Requires the department to issue to the interim study committee on energy, utilities, and telecommunication, not later than July 31, 2023, a report regarding the progress of the commission in adopting rules addressing the installation and operation of a BESS.  
*Current Status:* 3/28/2023 - added as cosponsor Senator Leising
- HB1186 ENCROACHMENT ON AN INVESTIGATION (MCNAMARA W) Provides that a person who knowingly or intentionally approaches within 25 feet of a law enforcement officer after the law enforcement officer has ordered the person to stop commits a Class C misdemeanor. Specifies that "emergency incident area" may include an area 25 feet in all directions from the perimeter of an emergency incident area. (Under current law, the area is 150 feet).  
*Current Status:* 3/28/2023 - House Concurred in Senate Amendments ; Roll Call 322: yeas 68, nays 26
- HB1200 GOVERNMENT REFORM TASK FORCE (BARTELS S) Establishes the government reform task force (task force). Provides for members of the task force. Requires the task force to submit a report. Prohibits the consideration of the number or amount of fines or civil penalties imposed on regulated entities by an employee in an agency's evaluation of the employee.  
*Current Status:* 4/5/2023 - Senate Judiciary, (Bill Scheduled for Hearing)
- HB1207 911 FEES (KARICKHOFF M) Authorizes the statewide 911 board to increase the following fees one time in the period beginning after April 30, 2023, and ending before July 1, 2026: (1) The enhanced prepaid wireless charge. (2) The statewide 911 fee. (Current law allows the board to adopt one time increases to each fee in the period that began after April 1, 2020, and ends before July 1, 2023.)  
*Current Status:* 4/4/2023 - Senate Tax and Fiscal Policy, (Bill Scheduled for Hearing)
- HB1208 OPIOID SETTLEMENT (KARICKHOFF M) Specifies that the distribution of funds from an opioid litigation settlement is subject to a bankruptcy court order or bankruptcy settlement. Provides that an annual distribution of less than \$5,000 payable to a city or town pursuant to an opioid litigation settlement agreement must be paid instead to the county. (Under current law, the threshold is \$1,000.) Specifies that amounts owed by the state for attorney's fees and costs incurred in connection with opioid litigation must be deducted from the opioid settlement distribution payable to the

state. Permits a city, county, or town that receives an opioid litigation settlement payment to transfer all or part of the payment to another city, county, or town to be used for the benefit of both communities. Permits a city, county, or town that receives an opioid litigation distribution to sell the right to receive the distribution. Excludes from the agency settlement fund any amount owed for outside counsel attorney's fees, costs, or expenses.

*Current Status:* 2/27/2023 - Referred to Senate Appropriations

- HB1266 CYBER CIVILIAN CORPS PROGRAM ADVISORY BOARD (JUDY C) Establishes the Indiana cyber civilian corps program advisory board (board). Provides for the membership of the board. Requires the adjutant general to provide staff support for the board and to pay the expenses incurred by the board from amounts appropriated for the adjutant general. Requires the board to provide findings and recommendations concerning the establishment of an Indiana cyber civilian corps program to the legislative council.  
*Current Status:* 3/30/2023 - Placed back on second reading
- HB1308 INDIANA CRIME GUNS TASK FORCE (CARBAUGH M) Provides that the Indiana crime guns task force area may include Allen County.  
*Current Status:* 3/30/2023 - Third reading passed; Roll Call 280: yeas 46, nays 0
- HB1315 HOME WARRANTIES AND REGULATION OF RESIDENTIAL STRUCTURES (MILLER D) Allows a builder to disclaim implied warranties for a new home that is first occupied by a person renting the home as a residence from the initial home buyer. Allows a builder to disclaim implied warranties on a model home in the same manner as a home that is first occupied as a residence. Prohibits regulation of a mobile home, a manufactured home, or an industrialized residential structure on private property (other than within a mobile home community) based on age. Allows the owner of a legal, nonconforming residential structure on private property that is damaged or destroyed to replace or repair the structure without losing legal nonconforming use status as long as the structure continues to be used for residential purposes. Provides that a comprehensive plan and ordinance in a county (other than Marion County) may not preclude the installation of manufactured homes that exceed a certain width (in addition to a certain square footage) as permanent residences on a lot on which any other type of dwelling unit may be placed. Provides that after June 30, 2023, a mobile home, a manufactured home, or an industrialized residential structure is not considered a new home or model home subject to the provisions concerning home warranties. Prohibits a county, city, or town from exercising its planning and zoning authority in a way that differentiates between fraternity and sorority houses on the sole basis of whether the fraternity or sorority is officially approved or recognized by the college or university.  
*Current Status:* 3/30/2023 - House Bills on Second Reading
- HB1321 PUBLIC SAFETY TRAINING (GARCIA WILBURN V) Requires the law enforcement training board to establish minimum standards for basic training and annual inservice training that address the mental health and wellness of law enforcement officers. Requires the executive training program to include training in mental health and wellness and suicide prevention of law enforcement officers. Provides that the mental health and wellness training may be provided online or by other means of virtual instruction. Provides that full-time firefighters' minimum training and annual training requirements must include mental health and wellness training. Requires certain persons who provide emergency medical services to obtain mental health and wellness training as a condition of licensure and certification.  
*Current Status:* 3/30/2023 - Motion to concur filed
- HB1335 VARIOUS ELECTION LAW MATTERS (WESCO T) Modifies the date associated with references in the election code to a federal statute or regulation. Removes and updates obsolete date references from Indiana election law. Specifies additional requirements for a certificate of ascertainment of presidential electors. Modifies the day of the week that presidential electors must assemble to elect the President and Vice President of the United States.  
*Current Status:* 3/28/2023 - Returned to the House with amendments
- HB1336 VARIOUS ELECTION LAW MATTERS (WESCO T) Adds the U.S. Space Force to the definition of "uniformed services" in election law. Provides that electronic signatures may be used for the reporting of campaign contributions and expenditures. Provides that election form approval procedures do not apply to a form incorporated only into the statewide voter registration system. Makes other technical changes relating to approval of election forms. Provides that a statute prohibiting the use of the circuit court clerk's name on a ballot if the clerk is a candidate for an office on the ballot does not apply if the only office for which the individual is a candidate is a political party office. Requires a candidate to specify on the candidate's candidacy document each designation that the candidate wants to use on the ballot. Requires the election division to design all candidacy documents so that the form of the document enables the candidate to insert in a separate field of the document each of the separate designations that a candidate is permitted to use under election law. Provides that an individual is considered to have resigned as an elected official of a unit when the person becomes an employee of the unit the individual serves as an elected official. Provides that certain mailings required by election law be sent by first class mail with tracking rather than by certified mail. Provides that a statute that permits removal and fining of a precinct election officer who fails to perform duties is applicable to an

absentee voter board member and to an absentee ballot counter. Authorizes a county election board to permit individuals who are candidates for certain political party offices and relatives of such individuals to serve as precinct election officers if the county election board finds that enough individuals are not available to serve as precinct election officers. Requires the bureau of motor vehicles commission to forward the voter registration part of an application and any declination to register to the election division for transmittal to the appropriate county voter registration office. Adds law enforcement agencies that receive voter registrations to the list of voter registration agencies that are not subject to certain requirements relating to filing voter registration applications. Provides that the statewide voter registration system must contain a feature that identifies potential nonresidential addresses submitted on voter registration applications. Provides additional procedures for updating a copy of a voter's original signature in the statewide voter registration file. Adds judges of city and town courts to the list of officials that must file a statement of economic interest before filing a candidacy document. Provides that an officeholder is not entitled to salary until a statement of economic interest is filed, if required. Provides that, for purposes of determining whether a candidate is affiliated with a particular major political party, the candidate must have voted in that party's two most recent primary elections. (Under current law, a candidate is required to have voted in the political party's most recent primary election.) Provides that if an election district is included entirely within one precinct, and does not include the entire precinct, the petition of nomination must be signed by at least five voters of the election district. Provides that if a special election to fill a vacancy in the office of United States Representative is held on the same day of the election to elect the individual to serve in the succeeding term, an individual may appear on the ballot as a candidate in both elections. Provides that in such an election for United States Representative, the ballot must list the election to fill the office vacancy immediately after the election for the next term of the office. Requires the chair of a political committee to file a final report for a treasurer if the treasurer has died or is otherwise unable to file the report. Provides that the statute requiring reporting of "large" campaign contributions does not require the reporting of a contribution unless it is accepted by the candidate's candidate committee. Provides language for printing on ballots when no candidate has filed for the office. Eliminates the requirement that counties send duplicate copies of state election returns to the election division. Provides that a county executive is not required to establish precincts so that a precinct contains not more than 2,000 active voters or 2,300 active voters if the precinct is in a county designated as a vote center county. Provides that in addition to precinct boundaries, the name of a precinct as included in the federal decennial census data becomes the official name of the precinct. Requires that a ballot be arranged so that all candidates for the same office appear on the same page or the same screen. Provides procedures for ballot layout when a candidate dies or is no longer eligible to appear on the ballot. Requires a circuit court clerk who receives an absentee ballot application from a voter who is not registered to vote in the county to send the application to the circuit court clerk of the county in which the voter is registered. Provides that the designation of a voter as an absent uniformed services voter, an overseas voter, or a voter with print disabilities expires January 1 after such a voter has submitted an absentee ballot application indicating such designation. Provides that, after December 31, 2024, all absentee ballots must be printed on security paper that incorporates features that can be used to authenticate the ballot. Provides that a voter must file residence documentation before 6 p.m. on election day. Provides that only the individuals who are permitted to be in the polls on election day are permitted to be in the room where early absentee voting is occurring. Provides that a county election board may send a signed form from a public test to the election division by electronic mail or fax. Provides that instructions posted in a voting booth or on a marking device may include instructions regarding straight party voting. Provides that an application fee for certification of a voting system does not apply if the application is for a de minimis change. Requires absentee ballot counters to begin counting absentee ballots beginning at 6:00 a.m. on election day if certain conditions are met. Provides that if there is a discrepancy on political party primary ballot choice between the federal write-in absentee ballot and the federal post card application, the federal post card application supersedes the federal write-in absentee ballot. Provides that if an individual who holds a local office is elected to another term in that office and subsequently dies or is disqualified before the next term is scheduled to begin, a vacancy is created that must be filled as otherwise provided by law. Adjusts the schedule for conducting a post-election audit if a contest or recount has been filed affecting the county. Provides that a notice of death of a local office holder is required to be filed only with the circuit court clerk. (Under current law, notice must also be filed with the prosecuting attorney.) Exempts a member of a fiscal or legislative body from assuming certain duties during a vacancy. Requires a magistrate to deposit a copy of the magistrate's oath in the office of the circuit court clerk of the county in which the magistrate resides or

*Current Status:* 3/30/2023 - House Bills on Second Reading

HB1341 PFAS-FREE FIREFIGHTER GEAR (OLTHOFF J) Provides that, after June 30, 2024, an Indiana fire department may not purchase firefighting gear unless it contains a permanently affixed label indicating whether or not the firefighting gear contains PFAS.

*Current Status:* 3/28/2023 - Returned to the House without amendments

HB1348 DISPOSAL OF FIREARMS BY TRADE FOR NEW EQUIPMENT (LUCAS J) Permits a law enforcement agency to dispose of certain confiscated firearms by trade with a licensed firearms dealer, a licensed firearm manufacturer, or another law enforcement agency in exchange for new firearms and other law enforcement equipment. Sets forth the recording and reporting requirements for the trade of firearms by a law enforcement agency.

*Current Status:* 3/6/2023 - Referred to Committee on Commerce and Technology

- HB1349      OUTDOOR REFRESHMENT AREAS (LINDAUER S) Allows a city or town to designate an outdoor location as a refreshment area with the approval of the alcohol and tobacco commission (commission). Provides that if a refreshment area is approved, the commission designates retailer permittees that may sell alcoholic beverages for consumption within the refreshment area. Prohibits a refreshment area from being located near a school or church unless the school or church does not object. Allows a minor to be within the refreshment area. Makes it a Class C infraction for a participating retailer permittee or vendor to: (1) sell a person more than one alcoholic beverage at a time or an alcoholic beverage that exceeds the volume limitations; or (2) allow a person who is not wearing a wristband identification to enter the refreshment area with an alcoholic beverage.  
*Current Status:* 4/5/2023 - Senate Public Policy, (Bill Scheduled for Hearing)
- HB1355      TOWNSHIP MERGER PILOT PROGRAM (MILLER D) Establishes a pilot program that provides for: (1) the merger of townships into a single township government in Blackford County and Switzerland County; and (2) the merger of townships into not more than two township governments in Crawford County.  
*Current Status:* 3/6/2023 - Referred to Senate Local Government
- HB1363      CRIMINAL MISCHIEF AND CRIMINAL TRESPASS (NEGELE S) Provides that a person who recklessly, knowingly, or intentionally damages the property of a scientific research facility without the consent of, or with consent which was fraudulently obtained from, the owner, possessor, or occupant of the property that is damaged commits criminal mischief, a Class A misdemeanor. Provides that a person who, not having a contractual interest in the property, knowingly or intentionally enters the real property of a scientific research facility without the permission of, or with permission which was fraudulently obtained from, the owner of the scientific research facility or an authorized person, and knowingly or intentionally engages in conduct that causes property damage to: (1) the owner of or a person having a contractual interest in the scientific research facility; (2) the operator of the scientific research facility; or (3) a person having personal property located on the property of the scientific research facility; commits criminal trespass, a Level 6 felony.  
*Current Status:* 3/23/2023 - Third reading passed; Roll Call 250: yeas 32, nays 15
- HB1365      MACHINE GUNS (GORE M) Revises, for purposes of an enhancement and certain criminal offenses, a definition of "machine gun". Provides that particular criminal offenses concerning machine guns do not apply to certain persons, including persons possessing machine guns or other items not required to be registered in the National Firearms Registration and Transfer Record maintained by the federal Bureau of Alcohol, Tobacco, Firearms and Explosives. Makes a conforming amendment.  
*Current Status:* 4/3/2023 - Concurrences Eligible for Action
- HB1401      ASSESSMENT OF WIND POWER DEVICES (NEGELE S) Requires a public utility company that owns or operates wind power devices after a change in ownership of the wind power devices to report, when filing its first statement of value and description of property with the department of local government finance (department), the valuation of the devices at the same valuation amount that the previous owner reported on the previous owner's last annual report before the change in ownership. Requires a public utility company that owns or operates wind power devices after a change in ownership of the wind power devices to notify the department in a timely manner of the change in ownership. Requires the new owner, for years subsequent to the first year after the change in ownership, to calculate and report the valuation of the wind power devices in accordance with: (1) the statute concerning the taxation of public utility companies; and (2) rules prescribed by the department. Provides that for any year subsequent to the first year after the change in ownership of a wind power device, the department, in determining the just value of the property, shall not consider valuations determined by another governmental agency. Requires the department to make necessary conforming changes to the annual report form. Requires the Indiana utility regulatory commission to include a provision in an order declining to exercise jurisdiction over a public utility company that: (1) owns or operates one or more wind power devices; or (2) plans to own or operate one or more wind power devices; requiring the public utility to notify the department of any change in ownership of the wind power devices. Requires that before November 1, 2024, and before November 1, 2025, the department shall prepare, submit in an electronic format, and present a report on: (1) the valuation of wind power devices; and (2) the department's progress in implementing the bill's provisions; to the interim study committee on energy, utilities, and telecommunications. Amends the Indiana Code provision that sets forth how the department is to determine the just value of the property of a public utility company to provide an exception from the specified procedures with respect to the determination of the just value of wind power devices.  
*Current Status:* 2/27/2023 - Referred to Senate Utilities
- HB1402      SEWAGE MANAGEMENT MATTERS (PRESSEL J) Provides that a wastewater utility that is not subject to the jurisdiction of the Indiana utility regulatory commission (commission) and that receives wholesale wastewater service from another wastewater utility may not: (1) disconnect from wholesale wastewater service provided by the other wastewater utility; and (2) construct a new wastewater treatment plant to serve its customers; unless the

wastewater utility obtains the approval of the commission. Requires: (1) a regional sewage district; or (2) certain municipalities; at least 90 days before requiring the connection of a property to a sewer system and the discontinuance of use of the property's septic system, to notify the property's owner about a statutory exemption from the requirement to connect to the sewer system that may apply to the property. Requires the Indiana department of health to update: (1) all matters incorporated by reference in the department of health rules concerning residential onsite sewage systems (the rules); and (2) all industry standard practices reflected in the rules; upon the recognition of new bulletins, standards, specifications, and industry standard practices that supersede the bulletins, standards, specifications, and industry standard practices incorporated by reference or otherwise reflected in the rules. Provides that the technical review panel must approve the updates before the Indiana department of health may update the rules. Provides that a county or city ordinance that would restrict or prohibit the use of technology new to Indiana that has been approved by the technical review panel or that would otherwise vary from the rules: (1) if adopted after December 31, 2023, is not effective unless it is submitted to and approved by the technical review panel; and (2) if adopted before January 1, 2024, becomes void and unenforceable on January 1, 2024, unless, before January 1, 2024, the ordinance: (A) is readopted by the legislative body of the county or city; and (B) is submitted to and approved by the technical review panel.

*Current Status:* 3/30/2023 - Second reading ordered engrossed

HB1411 SPEED LIMIT REDUCTION ON COUNTY STREETS OR HIGHWAYS (SMALTZ B) Provides that if the county executive of a county determines that the maximum speed permitted is greater or less than reasonable and safe under the conditions found to exist on a street or highway, or part of a street or highway, under the jurisdiction of the county, the county executive may determine and declare a reasonable and safe maximum limit on the street or highway, or part of the street or highway, without performing an engineering and traffic investigation. Provides that the maximum limit declared by the county executive may decrease the limit on the street or highway in the county, or part of the street or highway in the county, but not to less than 35 miles per hour.

*Current Status:* 2/27/2023 - Referred to Committee on Homeland Security and Transportation

HB1417 UTILITY DEFERRED COSTS AND ACCOUNTING PRACTICES (SOLIDAY E) Amends the Indiana Code provision concerning a system of accounting for public utilities to provide the following: (1) That a public utility, municipally owned utility, or not-for-profit utility may defer for consideration by the Indiana utility regulatory commission (IURC) and for future recovery costs incurred or to be incurred in a regulatory asset, to the extent that the specific costs are incremental and are not otherwise already included for recovery in the utility's rates. (2) That preapproval of the IURC is not required for the creation of a regulatory asset. (3) That a public utility, municipally owned utility, or not-for-profit utility may recover through the utility's rates over a reasonable period, as determined by the IURC, costs that are: (A) deferred under these provisions; and (B) found to be reasonable and prudent by the IURC. Amends the Indiana Code provision concerning a public utility's depreciation account and depreciation rates to provide the following: (1) That depreciation rates shall be calculated to recover a reasonable estimate of the future cost of removing retired assets of the public utility. (2) That in a proceeding in which the costs of a capital asset are being recognized for ratemaking purposes, a public utility may account for any asset retirement obligations and recover, through rates charged to customers, reasonably and prudently incurred costs associated with asset retirement obligations, to the extent the specific asset retirement obligation costs are incremental and have not been included in depreciation rates. (3) That the IURC shall make changes in a public utility's depreciation rates as necessary to reflect changes in: (A) the public utility's estimated asset retirement costs, including all reasonable and prudent costs of removing retired assets; and (B) the estimated retirement dates of the public utility's assets. Amends the Indiana Code chapter concerning federally mandated requirements for energy utilities to specify that recovery of the 80% of IURC-approved federally mandated costs that an energy utility may recover through a rate adjustment mechanism must commence no earlier than: (A) the date of a final agency action regarding the federally mandated requirement; or (B) in the absence of a final agency action, the date on which the federally mandated requirement becomes effective.

*Current Status:* 3/30/2023 - House Bills on Third Reading

HB1418 ANNEXATION OF RESIDENTIAL DEVELOPMENTS (SOLIDAY E) Permits a third class city to annex an area that is a proposed residential development in which not all lots have been platted or dwellings have been constructed. Expands the area outside the city in which the annexation can occur from three miles to 4.5 miles.

*Current Status:* 3/21/2023 - Returned to the House without amendments

HB1420 ELECTRIC TRANSMISSION FACILITIES (SOLIDAY E) Amends the chapter in the Indiana Code concerning electric transmission facilities as follows: (1) Specifies that the term "electric transmission facility" does not include a line installed solely for the purpose of connecting an electric generation facility to facilities owned by a public utility. (2) Repeals the definition of "local reliability electric transmission facility" and makes conforming changes. (3) Amends the provisions concerning an incumbent electric transmission owner's right of first refusal to construct, own, operate, and maintain certain electric transmission facilities, or upgrades to certain electric transmission facilities, as follows: (A) Specifies that the right of first refusal applies with respect to: (i) the construction; or (ii) upgrades; of electric

transmission facilities if the construction or upgrades have been approved through a regional transmission organization planning process. (B) Requires an incumbent electric transmission owner that exercises its right to construct an electric transmission facility to solicit and evaluate bids for the construction. (C) Provides that in conducting the bill's prescribed bidding process, the incumbent electric transmission owner shall select the bid or combination of bids that fare most favorably in the evaluation of certain factors set forth in the bill. (D) Provides that the Indiana utility regulatory commission (IURC) has jurisdiction to resolve any dispute that arises under the bill's prescribed bidding process and that is raised by an affected bidder. (E) Provides that if an electric transmission line has been approved for construction: (i) each incumbent electric transmission owner that has a right to construct, own, operate, and maintain the electric transmission line shall give written notice to the IURC, not later than 90 days after the construction is approved, regarding the incumbent electric transmission owner's intent to construct, own, operate, and maintain the approved electric transmission line; and (ii) if an incumbent electric transmission owner gives notice of intent not to construct the approved electric transmission line, another entity may construct the approved electric transmission line.

*Current Status:* 3/13/2023 - added as second sponsor Senator Leising

HB1421

ENERGY PRODUCTION AND RESOURCES (SOLIDAY E) Requires the Indiana utility regulatory commission (IURC) to issue an order granting or denying an application for a certificate of public convenience and necessity (certificate) not later than 240 days after the filing of the application and the submission of the applicant's case in chief. Authorizes the IURC to issue a general administrative order establishing guidelines regarding the information to be included in an applicant's case in chief. Amends the statute providing certain financial incentives for energy utilities in connection with clean energy projects as follows: (1) Provides that a "clean energy project" includes a project to construct or repower, after July 1, 2011, a natural gas facility to displace electricity generation from an existing coal fired generation facility. (2) Provides that an "eligible business" for purposes of eligibility for incentives authorized under the statute includes a joint agency created under the Indiana Code chapter authorizing municipal electric utility programs. (3) Provides (through an amendment to a cross-referenced definition in the Indiana Code chapter governing the Indiana voluntary clean energy portfolio standard program) that for purposes of a clean energy project involving a renewable energy resource project, a "renewable energy resource" includes gas that is derived from the decomposition of organic matter and that: (A) is fully interchangeable with; or (B) can be combined with; conventional natural gas for purposes of generating electricity. (4) Provides that the IURC may provide an incentive under the statute for a project that the IURC finds to be just and reasonable (rather than "reasonable and necessary" under current law). (5) Provides that the IURC may not approve the timely recovery of costs and expenses incurred during the construction and operation of a project unless the IURC finds that recovery of the costs and expenses: (A) is just and reasonable; and (B) will result in a gross financing costs savings over the life of the project. (6) Eliminates the incentive authorizing up to three percentage points on the return on shareholder equity that would otherwise be allowed to be earned on certain clean energy projects. (7) Amends the language prescribing the time frame within which the IURC must issue a determination as to a project's eligibility for the available financial incentives to require the IURC to issue the determination not later than: (A) 120 days after the date of the application; or (B) the time frame prescribed in the bill for the IURC to grant or deny a certificate if a certificate is required for the project. Provides, for purposes of the oil and gas law (which requires the natural resources commission to adopt rules to prevent waste and prohibits actions in the extraction of coal bed methane that would waste commercially minable coal resources), that the term "waste" does not include capturing and destroying coal bed methane for a commercial purpose, including the generation of carbon credits.

*Current Status:* 3/28/2023 - House Concurred in Senate Amendments ; Roll Call 325: yeas 65, nays 29

HB1438

PUBLICATION OF LOCAL GOVERNMENT NOTICES (MILLER D) Provides that a towing service is subject to the same public notice advertising rates as a government agency if the service: (1) acts as an agent of a government agency; and (2) provides the notice required to dispose of abandoned vehicles or parts. Provides for the creation of a public notice task force (task force) to study notice publication statutes for the purpose of streamlining the process and maximizing value to Indiana citizens. Provides the following: (1) The task force must publish a report with its determinations and recommendations for legislation not later than December 1, 2023. (2) The task force expires December 31, 2023.

*Current Status:* 4/3/2023 - Concurrences Eligible for Action

HB1454

DEPARTMENT OF LOCAL GOVERNMENT FINANCE (SNOW C) Prohibits the department of local government finance (department) from approving a county reassessment plan before the assessor provides verification that the land values determination has been completed. Requires an assessor determining land values to submit the values to the county property tax assessment board of appeals (PTABOA). Repeals the provision establishing the division of data analysis of the department. Prohibits a county auditor from denying an application for a standard deduction for a homestead because the applicant does not have a valid driver's license with the address of the homestead property. Provides that when a county auditor submits a certified statement of assessed value to the department, the county auditor shall exclude the amount of assessed value for any property located in the county for which an appeal has been filed and for which there is no final disposition. Makes supplemental county property tax levy provisions for

Ripley and Dearborn counties. Provides that a county auditor may appeal to the department to include the amount of assessed value under appeal within a taxing district for that calendar year. Removes the requirement that a PTABOA quorum must include at least one certified level two or level three assessor-appraiser. Prescribes additional duties for the department. Provides that, in the assessment of tangible property, confidential information may be disclosed to an official or employee of a county. Provides that the required annual visit between a representative of the department and each county may take place virtually. Requires a township or county assessor to document any changes made to the parcel characteristics of real property from the previous year's assessment in an assessment of the real property. Provides that in an appeal of the assessment, the township or county assessor has the burden of proving the validity of any change to the parcel characteristics. Changes the sunset date for the procedure for selling bonds to July 1, 2025. Provides that a township may elect to establish a township firefighting fund and a township emergency services fund in lieu of the township firefighting and emergency services fund. Clarifies the term "video service". Increases amounts for which state educational institutions and school corporations may award contracts. Makes changes to the geothermal device deduction. Removes provisions that require a county to meet certain qualifications before it is authorized to adopt an emergency medical services local income tax rate. Provides that if the sale price of distressed property exceeds \$50,000, a redevelopment commission must obtain two independent appraisals before purchasing the property. Makes restrictions if a county adopting body makes any fiscal decision that has a financial impact to an underlying local taxing unit. Establishes procedures for rental property assessment appeals. Makes changes to a provision granting a property tax exemption to cemetery owners.

*Current Status:* 4/4/2023 - Senate Tax and Fiscal Policy, (Bill Scheduled for Hearing)

HB1462 HEALTH MATTERS (VERMILION A) Amends the requirements for a physician to provide office based opioid treatment. Requires an emergency department to annually submit to the Indiana department of health a substance use disorder treatment plan (plan) to initiate interventions with patients who have a substance use related emergency department visit. Requires the plan to provide an overall analysis and evaluation of the emergency department's ability to implement specified provisions. Provides that the services provided to a patient under a substance use disorder treatment plan provided to the department are considered to be medically necessary and reimbursable. Provides that the office of the secretary of family and social services shall require managed care organizations to consider services provided to an individual under a substance use disorder treatment plan as medically necessary in both an inpatient facility of a hospital and an emergency department. Removes the expiration of the laws concerning maternal mortality review. Provides that a practitioner is not required to obtain information about a patient from the Indiana scheduled prescription electronic collection and tracking program (INSPECT) data base or through the patient's integrated health record before prescribing certain medications if the patient is enrolled in a hospice program.

*Current Status:* 3/9/2023 - added as cosponsors Senators Charbonneau, Becker, Bohacek

HB1492 SCHOOL SAFETY (MCNAMARA W) Makes changes to the permissible uses of the Indiana secured school fund. Moves provisions in the Indiana Code pertaining to the appointment of a school safety specialist, school safety specialist programs, and school safety plans. Makes changes to the Indiana secured school fund application procedures. Provides that a local law enforcement agency may apply for a grant from the Indiana secured school fund in cooperation with a school corporation, charter school, or accredited nonpublic school, if the school corporation, charter school, or accredited nonpublic school has not applied for a grant for the same period. Makes changes to the Indiana secured school fund reporting requirements. Makes various changes to provisions regulating the appointment of a school safety specialist, school safety specialist program, and school safety plans. Requires before December 31, 2023, that each county shall establish a county school safety commission. (Current law provides that a county may establish a county school safety commission.) Requires each school corporation and charter school to establish a safe school committee. Requires the division of school building physical security and safety of the department of education to establish and maintain guidelines, in consultation with the department of homeland security and institute for criminal justice, for developing and maintaining school safety plans and assist the secured school safety board in conducting the review and submitting certain reports. Provides that the governing body of a school corporation or charter school organizer shall: (1) approve or disapprove all school safety specialists chosen by the superintendent of the school corporation or leadership of the charter school; and (2) review and adopt for a specified period of time a school safety plan. Makes changes to the duties of a school resource officer. Makes changes to information reported by a school corporation or charter school pertaining to a school resource officer that is reported to the department of homeland security. Requires the secured schools safety board to include certain aggregate information relating to the number of school resource officers employed by schools. Provides that an organizer of a charter school shall require each charter school under the authority of the organizer to conduct annual emergency preparedness drills. Makes changes to distribution amounts from the state user fee fund. Makes conforming amendments. Repeals provisions establishing the Indiana safe schools fund, school safe haven programs, and existing provisions relating to the establishment of school safety specialists, county school safety commissions, school safety specialist training and safe school programs. Defines various terms. Provides that a school corporation, charter school, or accredited nonpublic school may receive a matching grant from the Indiana secured school fund to purchase student safety management technology. Makes a technical correction.

*Current Status:* 3/1/2023 - Referred to Committee on Education and Career Development

HB1499 PROPERTY TAX MATTERS (THOMPSON J) Provides that the circuit-breaker credit is equal to the amount by which a person's property tax liability attributable to the person's homestead exceeds, for property taxes first due and payable: (1) in 2024, 0.95%; and (2) in 2025, 0.975%; of the gross assessed value of the property that is the basis for determination of the property taxes. Increases the amount of the supplemental homestead deduction for property taxes first due and payable in 2024 and 2025. Provides that if a taxpayer presents an appraisal to the county property tax assessment board of appeals (county board) that meets specified requirements, the appraisal is presumed to be correct. Provides that if the county board disagrees with the taxpayer's appraisal, the county board may seek review of the appraisal or obtain an independent appraisal. Provides that after the assignment of value, the parties shall retain their rights to appeal the assessment or assessments to the Indiana board of tax review. Provides that, notwithstanding any increase in assessed value of property from the previous assessment date, the total amount of operating referendum tax that may be levied by a school corporation for taxes first due and payable in 2024 may not increase by more than 3% over the maximum operating referendum tax that could be levied by the school corporation in the previous year. Increases the renter's state income tax deduction to \$4,000. Increases the residential property state income tax deduction to \$3,500. Authorizes a county fiscal body to adopt an ordinance to provide property tax relief for property tax liability attributable to homesteads for qualified individuals. Modifies the threshold amounts used for determining whether a political subdivision's project is a controlled project and whether the petition and remonstrance process or the referendum process applies based on the political subdivision's total debt service tax rate. Provides a calculation to be used in determining the maximum levy growth quotient in 2024 and 2025.

*Current Status:* 3/1/2023 - Referred to Senate Tax and Fiscal Policy

HB1512 WASTE DIVERSION AND RECYCLING (SPEEDY M) Renames the central Indiana waste diversion pilot project the "central Indiana waste diversion project" (project). Establishes two new purposes for the project: (1) advancing research and development to enhance existing waste diversion efforts and supporting the creation of new processes and technologies that expand upon the existing universe of waste diversion and reuse of recyclable material; and (2) supporting recycling technology or programs for the return, collection, and sorting of recyclable glass, aluminum, or plastic beverage containers that are accessible to the general public and are operated by a retail merchant, a professional sports or entertainment venue, an airport, an elementary school or high school, or an institution of higher education. Extends the duration of the project from three years to four years. Requires the beginning of a second round of grant applications and awards. Provides that, in the second round, private sector persons and companies located in Hamilton, Hancock, Shelby, Johnson, Morgan, Hendricks, and Boone Counties (in addition to Marion County) may apply for grants from the program. Requires the department of environmental management, for purposes of the second round, to develop and distribute grant application forms, accept grant applications, and make recommendations to the Indiana recycling market development board (board). Authorizes the board to request additional information from a grant applicant if the board determines that the information provided does not meet certain requirements and to reopen the application process if the board determines that none of the applications submitted meet the goals of the project. Requires the board, in the second round, to award not more than a total of \$3,000,000 to grant applicants, of which not more than \$1,000,000 shall be awarded to applicants seeking a grant to enable them to acquire recycling technology or conduct or participate in recycling programs that involve the return, collection, and sorting of recyclable glass, aluminum, or plastic beverage containers, that are accessible to the general public, and that are operated by a retail merchant, a professional sports or entertainment venue, an airport, an elementary school or high school, or an institution of higher education.

*Current Status:* 3/30/2023 - Senate Appropriations, (Bill Scheduled for Hearing)

HB1575 RESIDENTIAL BUILDING COMMISSION (O'BRIEN T) Establishes the residential building commission (building commission) within the department of homeland security. Provides that the building commission has exclusive jurisdiction for the review and adoption of building codes and standards that regulate the construction of dwellings.

*Current Status:* 3/30/2023 - Senate Committee recommends passage, as amended Yeas: 7; Nays:

3

HB1578 COVERED PERSONS FOR RESTRICTED ADDRESSES (O'BRIEN T) Provides that a regular, paid firefighter and a volunteer firefighter are "covered persons" under the statute that requires local government units that operate a public data base website containing the names and addresses of property owners to restrict disclosure to the general public of the covered person's home address. Removes an obsolete date reference.

*Current Status:* 3/28/2023 - added as cosponsor Senator Randolph

HB1583 HEALTH PLANS AND AMBULANCE SERVICE PROVIDERS (HEATON R) Amends the law requiring a health plan operator to fairly negotiate rates and terms with any ambulance service provider willing to become a participating provider with respect to the operator's health plan. Provides that, if negotiations between an ambulance service provider and a health plan operator that occur after June 30, 2022, do not result in the ambulance service provider becoming a participating provider with respect to the health plan, each party, beginning May 1, 2023, is required to provide to the department of insurance (department) a written notice: (1) reporting the unsuccessful conclusion of the negotiations; and (2) stating the points that were discussed in the negotiations but on which agreement was not

reached. Requires the department, not later than May 1, 2024, to submit to the legislative council and the interim study committee on public health, behavioral health, and human services a report summarizing the written notices that the department has received from ambulance service providers and health plan operators.

*Current Status:* 3/30/2023 - Committee Report do pass, adopted

HB1623

ADMINISTRATIVE RULEMAKING (BARTELS S) Requires: (1) authorization from the budget agency and the office of management and budget; and (2) two public comment periods of 30 days for all proposed rules (except emergency rules and agency corrections); before the rules may be adopted. Standardizes the economic and fiscal impact information that must be prepared by an agency in order to adopt a rule. Requires rules to either expire or be readopted every five years rather than every seven years. Eliminates provisions that exempt certain rules from expiring. Provides for additional information concerning a readoption action to be published with a notice of readoption. Requires an agency to conduct a hearing on a proposed readoption. Eliminates differences between readoption procedures applicable to environmental rules and other rules. Validates readoption actions that become effective before July 1, 2023. Establishes criteria for use of emergency rulemaking procedures. Provides that rules formally adopted as emergency rules to implement a change in law or certain other circumstances may be adopted through emergency rule, interim rule, or expedited rule procedures. Requires preapproval by the governor to adopt rules through these procedures in the case of emergency rules and interim rules. Requires preapproval by the office of management and budget to adopt rules through expedited rule procedures. Authorizes the attorney general or the governor to suspend the operation of these rules. Requires the attorney general to specify the basis for disapproving an emergency, interim, or expedited rule. Requires an agency to conduct one comment period before adopting a rule using the interim rulemaking procedures. Eliminates indefinite expiration dates for emergency rules and reorganizes provisions related to expiration dates and extension periods. Specifies when expedited rules expire and limits the number of times expedited rules may be extended. Indicates how to calculate the one year period in which an environmental agency must complete a rulemaking process. Provides transitional provisions. Requires the code revision commission to prepare conforming legislation for introduction in the 2024 legislative session. Provides that a party prevailing against the agency is entitled to attorney's fees if the agency has acted without legal authority having the force of or enforceable as law. Amends the law requiring the department of environmental management (department) to establish a state permit program for the implementation in Indiana of the federal standards for the disposal of coal combustion residuals (CCR) in landfills and surface impoundments (the federal CCR rule). Provides that the rules adopted by the environmental rules board concerning the disposal of CCR in landfills and surface impoundments: (1) shall be consistent with the federal CCR rule; (2) shall not impose a restriction or requirement that is more stringent than the corresponding restriction or requirement imposed under the federal CCR rule; and (3) shall not impose a restriction or requirement that is not imposed by the federal CCR rule. Defines "legacy generation resource" as an electric generating facility that is directly or indirectly owned by a corporation that was originally formed for the purpose of providing power to the federal government for use in the nation's defense or in furtherance of national interests. Provides that the authority of the department to establish requirements under the state permit program is the only authority the department has to establish requirements for a surface impoundment of CCR located on the grounds of a legacy generation resource. Provides that if an agency fails to promulgate a required rule relating to licensure, a licensee is not required to pay license fees relating to the rule and is entitled to the refund of any already paid licensure fees. Establishes a procedure to determine whether a required rule has been promulgated. Repeals superseded statutes and makes cross reference, name, and other conforming changes.

*Current Status:* 4/5/2023 - Senate Judiciary, (Bill Scheduled for Hearing)

HB1639

WATERSHED DEVELOPMENT COMMISSIONS (AYLESWORTH M) Provides that the executives of one or more counties may adopt ordinances designating their counties as members of a proposed watershed development commission (commission) and that the proposed commission is established as a legal entity with the counties as its members if it is recognized by the natural resources commission. Requires the natural resources commission, in deciding whether to recognize a proposed commission, to answer certain questions. Provides that a nonmember county may become a member of an established commission if its membership is accepted by the member counties and recognized by the natural resources commission. Requires the department of natural resources (department), with the approval of the natural resources commission, to certify the area of a member county that is within a commission's designated watershed. Sets forth certain flood damage reduction and drainage purposes for which a commission may be established. Provides that a commission may also have water quality purposes if the board develops a water quality improvement plan that is approved by the natural resources commission. Specifies that a water quality purpose, goal, project, or interstate agreement does not convey water quality regulatory authority to a watershed development commission. Requires a commission to develop a flood damage reduction and drainage plan for its designated watershed and grants a commission exclusive authority to perform drainage and flood damage reduction activities within the channel of the river that is the surface water outlet of the commission's designated watershed. Authorizes, however, a commission to enter into an interlocal cooperation agreement with an existing local governmental entity having some flood damage reduction authority to apportion authority and financial support between the two entities. Provides for a commission to be governed by a board that includes the director of the department (or the director's designee) and one representative of each member county. Provides that the board of a single county commission also includes the county surveyor. Establishes an advisory committee for each commission

to provide counsel to the board. Provides for the funding of a commission through an annual special assessment against each taxable parcel of real property that is located: (1) in a member county; and (2) within the designated watershed of the commission. Establishes maximum assessment levels and allows the board of a commission to reduce the special assessment to lower levels. Authorizes a member county to adopt any of three alternative methods of funding the commission. Authorizes a commission to give preference to an Indiana business over an out-of-state business in contracting for public works. Allows the Maumee River basin commission, the St. Joseph River basin commission, or the Upper Wabash River basin commission to transform into a watershed development commission if the county executives of all participating counties, by vote of at least two of the three members of the county executive, approve the proposed transformation. Provides that if the St. Joseph River basin commission is transformed into a watershed development commission, the members of the St. Joseph River basin commission become members of the watershed development commission's advisory committee. Provides that the board of storm water management shall appoint an individual representing each second class city within each county on the watershed development commission. Provides that if a county does not have a second class city, the municipality with the largest population in the county shall appoint one individual. Specifies that if a second class city or the municipality with the largest population does not have a board of storm water management, then the executive of the second class city or of the municipality with the largest population shall make the appointment.

*Current Status:* 3/28/2023 - Senate Tax and Fiscal Policy, (Bill Scheduled for Hearing)

HB1647

RESIDENTIAL ONSITE SEWAGE SYSTEMS (MORRIS R) Prohibits the installation of a residential onsite sewage system less than 25 feet from the edge of a sinkhole. Provides that if: (1) a professional soil scientist has determined that a site is suitable for the installation of the residential onsite sewage system; and (2) a registered professional engineer, a registered soil scientist, a septic system installer or inspector licensed by the county, or the designer of the system has approved the design and specifications for the residential onsite sewage system; the local health department shall issue a permit for the residential onsite sewage system not more than 30 business days after receiving a complete application for the permit. Provides that a residential onsite sewage system may be installed in a lot meeting a certain description if at least one site on the lot is determined to be suitable for the installation of the residential onsite sewage system. Prohibits an officer or employee of a local health department from entering a property to inspect a residential onsite sewage system: (1) if a licensed septic system installer or inspector, an onsite sewage system technician, or a registered professional engineer has notified the local health department within the preceding 180 days that the residential onsite sewage system is functioning properly; or (2) if the owner or occupant has not been notified of the inspection by first class mail at least seven days before the inspection date. Provides that if a local health department determines that a residential onsite sewage system is in failure and orders that the system failure be corrected but the owner or occupant of the property contracts with an onsite sewage system technician, a professional engineer, or a system installer or inspector for an independent determination whether the residential onsite sewage system is in failure, the order of the local health department requiring that the system failure be corrected is stayed until the report of the independent determination is presented or until 60 days after the date of the order. Provides that if the onsite sewage system technician, professional engineer, or system installer or inspector determines that the residential onsite sewage system is not in system failure, the local health department shall: (1) withdraw its order; or (2) conduct an investigation to make a new determination whether the residential onsite sewage system is in system failure. Provides that an individual who: (1) is licensed in at least one county of Indiana to provide onsite sewage system service; and (2) is certified as an inspector or installer by the Indiana Onsite Wastewater Professionals Association (IOWPA) and is a member in good standing of IOWPA; is entitled to provide onsite sewage system service in any county in Indiana, but may be required to pay a county license fee before providing onsite sewage system service in a county other than the county in which the individual is licensed.

*Current Status:* 3/30/2023 - Second reading ordered engrossed

SB3

STATE AND LOCAL TAX REVIEW TASK FORCE (HOLDMAN T) Establishes the state and local tax review task force (task force). Specifies the membership of the task force and the topics the task force is required to review. Makes an appropriation.

*Current Status:* 3/29/2023 - House Ways and Means, (Bill Scheduled for Hearing)

SB4

PUBLIC HEALTH COMMISSION (CHARBONNEAU E) Defines "core public health services" for purposes of public health laws. Adds members to the executive board of the Indiana department of health (state department). Provides that the state department may provide district or regional services to local health departments. Require each local board of health to establish a local public health services fund to receive state funding. Provides a method of allocation of state funding to local boards of health, subject to state appropriations. Allows the state department to issue guidance to local health departments. Requires the state department to make annual local health department reports available to the public. Changes the qualification requirements for a local health officer and requires certain training. Requires the state department to identify state level metrics and county level metrics and requires certain local health departments to report to the state department activities and metrics on the delivery of core public health services. Requires the state department to annually report on the metrics to the budget committee and publish information concerning the metrics on the Internet. Sets political affiliation limitations on local boards of health and adds two members to local boards of health. Requires a multiple county health department to maintain at least one physical office in each

represented county. Provides that a new city health department cannot be created after December 31, 2022, but allows current city health departments to continue to operate. Creates the Indiana trauma care commission and sets forth the commission's duties. Specifies that certain vision screenings in schools for students may be performed by a physician or an optometrist. Requires vision screening in kindergarten and first grade (current law allows for the screening in either grade). Modifies the list of vision tests that may be used. Requires the school to send to the parent of a student any recommendation for further testing by the vision screener. Allows for standing orders to be used for emergency stock medication in schools. Allows the state health commissioner or designee to issue a statewide standing order, prescription, or protocol for emergency stock medication for schools. Removes the distance requirement for an access practice dentist to provide communication with a dental hygienist.

*Current Status:* 3/16/2023 - added as cosponsor Representative Cherry

- SB12 MATERIAL HARMFUL TO MINORS (TOMES J) Establishes a procedure: (1) to allow a parent or guardian of a child enrolled in a school to submit a complaint that a book in the school library is inappropriate; and (2) for the school to respond to the complaint. Establishes an appeal procedure. Provides that a school library may not make a book available that contains obscene matter or matters harmful to children. Removes schools from the list of entities eligible for a specified defense to criminal prosecutions alleging: (1) the dissemination of material harmful to minors; or (2) a performance harmful to minors. Adds colleges and universities to the list of entities eligible for a specified defense to criminal prosecutions alleging: (1) the dissemination of material harmful to minors; or (2) a performance harmful to minors.
- Current Status:* 3/6/2023 - Referred to House Education
- SB13 ELIMINATION OF LOWER SPEED LIMIT FOR TRUCKS (TOMES J) Excepts an alley from the maximum speed limit of 55 miles per hour. Increases the maximum speed limit for a vehicle having a declared gross weight greater than 26,000 pounds from 65 miles per hour to 70 miles per hour when the vehicle is operated on a highway that is: (1) on the national system of interstate and defense highways located outside an urbanized area with a population of at least 50,000; or (2) the responsibility of the Indiana finance authority.
- Current Status:* 2/28/2023 - Referred to House Roads and Transportation
- SB20 DESIGNATED OUTDOOR REFRESHMENT AREAS (BROWN L) Allows a city or town to designate an outdoor location as a refreshment area with the approval of the alcohol and tobacco commission (commission). Provides that if a refreshment area is approved, the commission designates retailer permittees that may sell alcoholic beverages for consumption within the refreshment area. Prohibits a refreshment area from being located near a school or church unless the school or church does not object. Allows a minor to be within the refreshment area. Makes it a Class C misdemeanor for a participating retailer permittee or vendor to sell a person more than two alcoholic beverage at a time or an alcoholic beverage that exceeds the volume limitations.
- Current Status:* 4/4/2023 - House Public Policy, (Bill Scheduled for Hearing)
- SB25 CIGARETTE TAX EVASION (CRIDER M) Provides that if a person unlawfully transports cigarettes without an Indiana tax stamp, the person commits: (1) a Class C infraction if a person possesses more than 1,000 cigarettes; (2) a Class B misdemeanor if the number of cigarettes is between 2,000 and 7,500; (3) a Class A misdemeanor if the number of cigarettes is between 7,500 and 15,000; and (4) a Level 6 felony if the number of cigarettes is at least 15,000.
- Current Status:* 2/28/2023 - Referred to House Courts and Criminal Code
- SB37 FOOD AND BEVERAGE TAXES (GASKILL M) Requires each local unit that imposes a food and beverage tax to annually report information concerning distributions and expenditures of amounts received from the food and beverage tax. Provides that food and beverage taxes currently authorized under IC 6-9 and that do not otherwise contain an expiration date (other than the stadium and convention building authority food and beverage tax and the historic hotels food and beverage tax) shall expire on the later of: (1) January 1, 2045; or (2) the date on which all bonds or lease agreements outstanding on May 7, 2023, are completely paid. Requires each local unit that imposes a food and beverage tax that is subject to the expiration provision to provide to the department of local government finance (department) a list of each bond or lease agreement outstanding on May 7, 2023, and the date on which each will be completely paid. Requires the department to publish the information on the gateway website. Declares the intention of the general assembly to only authorize local units to impose new food and beverage taxes based on specified criteria.
- Current Status:* 3/29/2023 - House Ways and Means, (Bill Scheduled for Hearing)
- SB43 RESIDENCY OF 911 OPERATORS (SANDLIN J) Provides that a public safety agency may not establish or maintain residency requirements for a public safety telecommunicator employed by a public safety agency.
- Current Status:* 3/30/2023 - Signed by the President Pro Tempore
- SB46 COUNTY OPTION CIRCUIT BREAKER TAX CREDIT (SANDLIN J) Authorizes a county fiscal body to adopt an ordinance

to provide a credit against property tax liability for qualified individuals. Defines a "qualified individual" for purposes of the credit. Provides that the ordinance may designate: (1) all of the territory of the county; or (2) one or more specific geographic territories within the county; as a neighborhood enhancement district in which qualified individuals may apply for the credit. Provides that the amount of the credit in a particular year is equal to the amount by which an individual's property tax liability increases by more than the percentage of increase specified by the county fiscal body from the prior year. Provides that the credit does not affect the allocation of taxes to a referendum fund. Requires a qualified individual who desires to claim the credit to file a certified statement with the county auditor. Provides that the county auditor shall apply the credit in succeeding years after the certified statement is filed unless the auditor determines that the individual is no longer eligible for the credit or the county fiscal body rescinds the ordinance. Provides a penalty for wrongly receiving the credit that is the same as the penalty for wrongly receiving the homestead standard deduction. Provides that an individual may not receive both a county option circuit breaker tax credit and an over 65 property tax credit in the same year. Provides that an ordinance must specify that the credit does not apply for property taxes first due and payable after December 31, 2027. Sunsets the county option on January 1, 2028.

*Current Status:* 4/3/2023 - Senate Bills on Second Reading

SB48 CHILD SEX OFFENSES (CRIDER M) Provides that a criminal prosecution of a sex offense committed against a child that is otherwise barred by the statute of limitations may nevertheless be commenced within five years from the date on which: (1) the state discovers DNA evidence; (2) the state learns of a recording that provides evidence sufficient to charge the offender; or (3) a person confesses to the offense. Specifies that a person commits human trafficking if the person pays money to a human trafficking victim. (Current law provides that the person commits the offense by paying money for a human trafficking victim.)

*Current Status:* 3/29/2023 - Signed by the President of the Senate

SB74 LOCAL USE OF RESTRICTED FUNDS (ALEXANDER S) Defines "preservation" for purposes of provisions that require counties, cities, and towns to use at least 50% of the money distributed from the motor vehicle highway account for construction, reconstruction, and preservation of highways. Requires the local technical assistance program at Purdue University (LTAP), in conjunction with the Indiana department of transportation (department), to analyze data for calendar years 2018 through 2022 regarding the use of motor vehicle highway account allocations to counties, cities, and towns. Specifies the contents of the analysis and requires LTAP, in conjunction with the department, to present the results of the analysis in a report to the budget committee.

*Current Status:* 3/15/2023 - House Ways and Means, (Bill Scheduled for Hearing)

SB78 DISTRIBUTIONS OF PUBLIC SAFETY INCOME TAX REVENUE (NIEMEYER R) Requires that part of a certified distribution allocated to a county (other than Marion County), subject to a qualified township's application, be allocated among the qualified townships in the county. Provides the calculation for the amount of the allocation. Provides that a qualified township and various fire entities may apply to the county adopting body for a distribution of tax revenue. Provides that the county adopting body shall review an application and shall, before September 1 of a year, adopt a resolution requiring tax revenue to be distributed to a qualified applicant or applicants. Provides that the county adopting body shall provide a copy of the resolution to the county auditor and the department of local government finance. Provides that an adopted resolution submitted in a timely manner to the county auditor and the department of local government finance applies to distributions of tax revenue to the qualified applicant in the following calendar year and each calendar year thereafter until the qualified applicant rescinds the application. Provides that a qualified applicant that wishes to rescind its application under this subsection must notify the county adopting body in writing. Provides that if the county adopting body receives a qualified applicant's written notice to rescind its application, the county adopting body shall adopt a resolution rescinding the qualified applicant's distribution before September 1 of a year and shall provide a copy of the resolution to the county auditor and the department of local government finance.

*Current Status:* 3/22/2023 - House Ways and Means, (Bill Scheduled for Hearing)

SB134 RETAIL SALE OF DOGS (DORIOT B) Enacts an article concerning the retail sale of dogs. Provides that restrictions on ordinances concerning the retail sale of dogs do not apply to a city or incorporated town that adopts an ordinance before January 1, 2023. Defines a "hobby breeder". Provides that restrictions on the retail sale of dogs apply to certain cities and incorporated towns. Defines a "kennel" to include an establishment that is liable for the payment of a county option dog tax.

*Current Status:* 3/20/2023 - House Agriculture and Rural Development, (Bill Scheduled for Hearing)

SB156 TAX SALES (NIEMEYER R) Provides that a person who acquires a certificate of sale (certificate) may not assign the certificate to a person who was not eligible under the tax sale laws to bid on or purchase real property at a tax sale until the person satisfies the eligibility requirements as determined by the county auditor. Requires a person to acknowledge that the person will not assign a certificate for any real property purchased to a person who is prohibited from bidding on or purchasing real property at a tax sale. Requires the county auditor to determine that an assignee of a certificate is eligible to receive the assignment for an assignment to be valid. Provides that assignments of a

certificate must be included on the county auditor's tax sale record. Requires the county, the county auditor, or a county vendor to list certain information concerning tax sales on the website of the county, county auditor, or county vendor for a specified period of time. Specifies that a county or a county vendor is not liable for an act or omission related to making information available on a website.

*Current Status:* 3/23/2023 - Third reading passed; Roll Call 294: yeas 89, nays 1

- SB157 PARCELS OFFERED AT SUCCESSIVE TAX SALES (NIEMEYER R) Requires that the county auditor's notice of tax sale include a statement providing that if a tract or item of real property has been offered for sale at a county treasurer's tax sale (treasurer's sale) and a county executive's tax sale (executive's sale) on two or more occasions without a bid, the tract or item of real property may be subject to an ordinance authorized by the bill. Adds a person who claims a substantial property interest of public record to a statute concerning the county auditor's provision of notice of tax sale to certain persons who annually request a copy of the notice. Provides that a person who owns any tract or item of real property that has been offered for sale at a treasurer's sale and executive's sale on two or more occasions without a bid is prohibited from bidding on or purchasing tracts offered for sale. Adds language that allows a county legislative body to adopt an ordinance with respect to parcels of real property that have been offered for sale at a treasurer's sale and an executive's sale on two or more occasions without a bid. Specifies that such a parcel (subject to certain criteria) is considered a public hazard. Establishes a procedure for a county to transfer a tax sale certificate to a municipality or retain a tax sale certificate and for a county or municipality to file a petition with the circuit court (court) requesting the issuance of a deed for the property to the requesting county or municipality. Provides that, at the request of a municipality, the county auditor and county treasurer (subject to available funding) shall enter into a mutual agreement for the county auditor to perform certain duties concerning notification of a party's right to redeem such a parcel and the filing of a petition to the court for issuance of a tax deed for the parcel. Provides that the court shall hold a hearing on the petition for issuance of a tax deed. Provides requirements that apply to a quiet title action with respect to a parcel placed into the name of a county or municipality. Provides that an owner of a parcel of real property that has been offered for sale at a treasurer's sale and an executive's sale on two or more occasions without a bid may transfer the real property, subject to any liens and encumbrances, by warranty deed to a county or municipality.
- Current Status:* 3/30/2023 - Signed by the President Pro Tempore
- SB158 DOMESTIC VIOLENCE (CRIDER M) Provides that a person arrested for certain crimes committed against a family or household member may not be released on bail for 24 hours. Provides that a charge of invasion of privacy is elevated to a Level 6 felony if the person has a prior unrelated criminal stalking conviction. Provides that certain crimes are considered a serious violent felony for the purposes of unlawful possession of a firearm by a serious violent felon.
- Current Status:* 3/21/2023 - Third reading passed; Roll Call 279: yeas 94, nays 0
- SB159 COMPUTER TRESPASS (CRIDER M) Defines "financial information". Enhances the sentence of an offense against intellectual property to a Level 5 felony if the data, computer program, or supporting documentation that is modified, destroyed, or disclosed contains protected health information or financial information. Provides that an offense against computer users is a Level 5 felony if the computer, computer system, or computer network that is the subject of the unauthorized use contained an individual's protected health information or financial information. Provides that an offense of computer trespass is a Level 6 felony if the computer system, computer network, or any part of the computer system or computer network that was subject to the unauthorized use contained protected health information or financial information.
- Current Status:* 2/28/2023 - Referred to House Courts and Criminal Code
- SB161 UNLAWFUL SURVEILLANCE (CRIDER M) Adds a prohibition against using a tracking device to the list of conditions a court may impose when issuing a protection order. Increases the penalty for stalking to a Level 5 felony if the offense is committed by means of a tracking device. Provides that a person who knowingly or intentionally places a tracking device on an individual or the individual's property without the individual's knowledge or consent commits unlawful surveillance, a Class A misdemeanor, unless certain exceptions apply, and increases the penalty to a Level 6 felony if the person is the subject of a protective order or has certain prior convictions. Establishes a sentence enhancement if a person uses a tracking device to commit or facilitate the commission of a crime.
- Current Status:* 3/28/2023 - Third reading passed; Roll Call 311: yeas 95, nays 1
- SB180 ALLOCATION OF WASTEWATER UTILITY COSTS (KOCH E) Allows a utility company that: (1) provides both water and wastewater service; and (2) has acquired wastewater utility property; to request, in the context of a petition by the utility company to the Indiana utility regulatory commission (IURC) for preapproval of a plan for proposed service enhancement improvements to the utility company's wastewater utility property, authorization from the IURC to allocate a portion of the eligible costs of the utility company's wastewater utility property to the utility company's water customers. Provides that if the petition includes such a request for an allocation of costs, the utility company shall provide a copy of: (1) the petition; and (2) the utility company's case in chief; to each intervenor in the utility company's last general rate case. Provides that the IURC may approve the request if the IURC finds that: (1) because

of reasonable and necessary improvements that are proposed for the wastewater utility property, the resulting rates charged to wastewater customers would reach levels necessitating the provision of financial assistance to those customers; (2) the total rates charged by the utility company for water service will not increase unreasonably as a result of the allocation; (3) the utility company has included information in its proposal regarding the availability of grants or low interest loans and whether the utility company considered using grants or low interest loans to help finance or reduce the cost of the service enhancement improvements; and (4) the utility company has developed an asset management program. Provides that an increase in the total rates charged for water service by the utility company as a result of the allocation is not unreasonable to the extent the allocation results in an increase in authorized total revenues of 2% or less. Provides that if the IURC approves a utility company's request for an allocation of costs, the utility company shall include a notice on or with water customer monthly bills specifying the amount of the service enhancement improvement adjustment rider approved by the commission that recovers necessary wastewater utility improvements.

*Current Status:* 4/3/2023 - Senate Bills on Third Reading

- SB182 TOWNSHIP MERGERS (KOCH E) Allows a township that does not have a township trustee or township board to merge with another township, if identical resolutions approving the merger are adopted by the following: (1) The township trustee and legislative body of the other township. (2) The county executive.  
*Current Status:* 2/28/2023 - Referred to House Local Government
- SB185 1977 FUND MEMBERSHIP (BALDWIN S) Modifies the definition of "salary of a first class patrolman or first class firefighter" for the 1977 police officers' and firefighters' pension and disability fund (1977 fund). Allows an airport authority to participate in the 1977 fund. Increases the maximum age for a firefighter to be appointed to a fire department and become a member of the 1977 fund from 35 years of age to 39 years of age. Makes corresponding changes.  
*Current Status:* 3/30/2023 - added as cosponsor Representative Moseley
- SB187 PUBLIC SAFETY MATTERS (SANDLIN J) Provides that a unit shall provide by ordinance the number of police reserve officers a law enforcement agency may appoint. Provides that the law enforcement training board may revoke, suspend, modify, or restrict a document showing compliance and qualifications for a unit's police reserve officer who has committed misconduct. Provides that a law enforcement agency hiring a police reserve officer must contact every other law enforcement agency that employed (or employs) the applicant and request the applicant's employment file and disciplinary record. Provides that a special law enforcement officer employed by the city of Indianapolis full time after June 30, 2023, to perform park ranger duties (park ranger) is subject to the same training requirements as regular law enforcement officers. Provides that the facilities of the Indiana law enforcement academy must be used to provide a park ranger with the required basic training. Provides that a park ranger is eligible for a line of duty death benefit from the state special death benefit fund.  
*Current Status:* 3/29/2023 - House Ways and Means, (Bill Scheduled for Hearing)
- SB202 STUDY COMMITTEE (QADDOURA F) Urges the legislative council to assign the topic of various housing matters to the appropriate interim study committee.  
*Current Status:* 2/28/2023 - Referred to House Rules and Legislative Procedures
- SB205 TASK FORCE FOR THE REDUCTION OF VIOLENT CRIME (QADDOURA F) Establishes the task force for the reduction of violent crime (task force). Requires the task force to study potential statutory changes to reduce violent crime and submit a report for distribution to the general assembly.  
*Current Status:* 2/28/2023 - Referred to House Courts and Criminal Code
- SB219 ANNEXATION (BUCK J) With certain exceptions, requires a municipality that initiates an annexation to file with the court an annexation petition approved by the signatures of: (1) at least 51% of the owners of non-tax exempt land in the annexation territory; or (2) the owners of at least 75% in assessed valuation of non-tax exempt land in the annexation territory. Requires the court to hold a hearing if the petition has enough signatures. Adds provisions for determining the validity of signatures. Eliminates the following: (1) Remonstrances and remonstrance waivers. (2) Reimbursement of remonstrator's attorney's fees and costs. (3) Adoption of a fiscal plan for annexations requested by 100% of landowners in the annexation territory. (4) Settlement agreements in lieu of annexation. (5) Provisions regarding contiguity of a public highway.  
*Current Status:* 2/28/2023 - Referred to House Local Government
- SB242 DNR BEST FLOODPLAIN MAPPING DATA (LEISING J) Repeals a provision that requires a local floodplain administrator to use the "best floodplain mapping data available" when reviewing an application for a permit to authorize construction in or near a floodplain. Requires an owner to disclose in a real estate disclosure form whether any portion of the real estate is located in a floodplain, as determined by the Federal Emergency Management

Agency's (FEMA) Flood Insurance Rate Maps or a FEMA approved local floodplain map.

*Current Status:* 4/3/2023 - Senate Bills on Third Reading

- SB271 CERTIFIED TECHNOLOGY PARKS (BUCHANAN B) Specifies additional information that a certified technology park (park) is required to provide to the Indiana economic development corporation (corporation) in the course of a review. Provides that if a park has reached the limit on deposits and maintains its certification, the park shall become a Level 2 park. Increases, from \$100,000 to \$250,000, the annual additional incremental income tax deposit amount that a park captures once it has reached its limit on deposits. Clarifies the calculation of the additional incremental income tax deposit amount in the year in which a park reaches its limit on deposits. Provides that when the corporation certifies a Level 2 park, the corporation shall make a determination of whether the park shall continue to be designated as a Level 2 park. Requires the corporation to report to the budget committee certain information pertaining to businesses located in each park on a biennial basis.  
*Current Status:* 4/3/2023 - Senate Bills on Second Reading
- SB274 TAX EXEMPT PROPERTY (JOHNSON T) Provides that a building is exempt from property taxation if it is owned by a nonprofit entity and is: (1) registered as a continuing care retirement community; or (2) licensed as a health care facility. Makes various changes to a provision granting a property tax exemption to cemetery owners.  
*Current Status:* 3/14/2023 - added as cosponsor Representative Lehman
- SB283 MARION COUNTY ROAD FUNDING (FREEMAN A) Provides that, for purposes of determining the right of the consolidated city of Indianapolis to receive a distribution of money from the motor vehicle highway account based on population, the population of all the territory of the consolidated city is considered its population.  
*Current Status:* 4/4/2023 - House Roads and Transportation, (Bill Scheduled for Hearing)
- SB298 UTILITY INFRASTRUCTURE IMPROVEMENT CHARGES (KOCH E) Amends the statute governing infrastructure improvement charges for water or wastewater utilities as follows: (1) Provides that in the case of a municipally owned utility or a not-for-profit utility, the adjustment amount to an eligible utility's basic rates and charges for the recovery of infrastructure improvement costs shall be recovered over a 12 month period, regardless of the amount of time over which the infrastructure improvement costs were incurred. (2) Provides that a utility may not recover through an infrastructure improvement charge any infrastructure improvement costs that are recovered by the utility through contributions in aid of construction. (3) Provides that when an eligible utility files a petition for an adjustment amount with the Indiana utility regulatory commission (IURC), the office of utility consumer counselor (OUCC) may examine information of the eligible utility, limited to confirming: (A) that the infrastructure improvements for which recovery is sought are eligible for cost recovery under the statute; and (B) the proper calculation of the proposed adjustment amount. (Existing law provides that the OUCC may examine the information of an eligible utility to confirm these matters, but does not specify that the OUCC's examination is limited to the confirmation of these matters.) (4) Provides that if the IURC finds that an eligible utility's proposed adjustment amount has not been calculated correctly, the IURC shall: (A) provide the correct calculation of the adjustment amount; and (B) allow the eligible utility to implement the corrected adjustment amount. (5) Amends the factors that the IURC may consider in determining the amount of allowable recovery of infrastructure improvement costs for a municipally owned utility or a not-for-profit utility to provide that the IURC may consider other expenses that the IURC considers appropriate, including money for the payment of any taxes that may be assessed against: (A) a municipally owned utility; or (B) a not-for-profit utility or its property; as applicable. (6) Specifies that in the case of a municipally owned utility or not-for-profit utility, the statute's cap limiting total adjustment revenues to 10% of an eligible utility's approved base revenue level applies over the course of each 12 month recovery period. (7) Amends the statute's provisions requiring an eligible utility to reconcile the difference between adjustment revenues and infrastructure improvement costs as follows: (A) Specifies that the reconciliation must occur at the end of each 12 month recovery period. (B) Provides that in the case of a municipally owned utility or a not-for-profit utility, the adjustment amount shall be reset to zero after all previously approved infrastructure improvement costs have been collected.  
*Current Status:* 3/21/2023 - Returned to the Senate without amendments
- SB300 RESIDENTIAL TAX INCREMENT FINANCING (ROGERS L) Removes the threshold conditions for establishing a residential housing development program and a tax increment allocation area for the program, including the condition that the governing body of each school corporation affected by the program pass a resolution approving the program before the program may go into effect. Provides that the fiscal body of a county may adopt an ordinance to designate an economic development target area.  
*Current Status:* 2/28/2023 - Referred to House Ways and Means
- SB317 CONTRACTING AND PURCHASING (ZAY A) Provides that a political subdivision may make advance payments to contractors to enable the contractors to purchase materials needed for a public works project of the political subdivision. Provides that a political subdivision may make advance payments for goods or services before the goods

are delivered or services are completed if the fiscal body of the political subdivision authorizes advance payments. Provides that provisions pertaining to the disposition of surplus personal property by a governmental body do not apply to the sale, lease, or disposal of property under a fleet management or equipment leasing agreement entered into pursuant to a request for proposals.

*Current Status:* 3/30/2023 - Third reading passed; Roll Call 330: yeas 89, nays 1

- SB320 BROWNFIELDS INVENTORY (ZAY A) Allows the Indiana brownfields fund to be used to pay for assessments or studies conducted under the Indiana brownfields program. Authorizes the Indiana finance authority (finance authority) to create and maintain an inventory of brownfields located in Indiana. Authorizes the finance authority: (1) to contract with one or more state supported colleges or universities for assistance in creating and maintaining the inventory; and (2) to pay costs arising from the creation and maintenance of the inventory with funds appropriated to the Indiana brownfields fund. Provides that, if the inventory is created, the finance authority shall report the contents of the inventory to the interim study committee on environmental affairs in 2024 and in each succeeding even-numbered calendar year.  
*Current Status:* 3/6/2023 - Referred to House Environmental Affairs
- SB325 HOMESTEAD STANDARD DEDUCTION (BUCHANAN B) Modifies the definition of "homestead" for purposes of the homestead standard deduction. Makes corresponding changes.  
*Current Status:* 3/15/2023 - House Ways and Means, (Bill Scheduled for Hearing)
- SB326 PROFESSIONAL SPORTS AND CONVENTION DEVELOPMENT AREAS (MISHLER R) Adds certain city facilities located in the city of South Bend to the tax area of the South Bend professional sports and convention development area (PSCDA). Increases the maximum amount of covered taxes that may be captured in the PSCDA from \$2,000,000 to \$5,000,000. Provides that the first \$2,500,000 of captured taxes each year shall be transferred to the city of South Bend to be used for capital improvements for a facility owned by the city and used by a professional sports franchise. Provides that the remaining captured taxes each year shall be transferred to the city of South Bend to be used consistent with specified uses under current law. Provides that the South Bend PSCDA terminates not later than June 30, 2044.  
*Current Status:* 3/29/2023 - House Ways and Means, (Bill Scheduled for Hearing)
- SB332 PLANNING AND ZONING AFFECTING MILITARY BASES (MESSMER M) Allows a unit to establish a military impact zoning district for an area adversely impacted by the effects of military operations. Establishes a state area of interest that is comprised of land within one or both of the following: (1) Within three miles of certain military installations. (2) Within a military impact zoning district. Makes planning, zoning, and development activity (activity) in a state area of interest subject to the military installation commander's determination regarding the activity's impact on military operations. Allows a representative of the military installation to serve as a nonvoting adviser to the unit's plan commission. Requires a lease or real estate sales disclosure form to disclose that the property is within a state area of interest. Provides that the responsibility for the disclosure required by the owner that the property is located near a military installation rests solely with the owner of the property and no liability for the owner's failure to make the required disclosure shall accrue to any third party.  
*Current Status:* 3/23/2023 - Third reading passed; Roll Call 295: yeas 90, nays 0
- SB344 NORTHEAST INDIANA STRATEGIC DEVELOPMENT COMMISSION (HOLDMAN T) Establishes the northeast Indiana strategic development fund (fund) administered by the northeast Indiana strategic development commission (commission). Prohibits money in the fund from being used for the purposes of expanding or increasing access to broadband. Adds additional purposes to be carried out by the commission in the development area. Expands the membership of the commission to include two additional voting members to be appointed by the northeast Indiana local economic development organization council.  
*Current Status:* 3/29/2023 - House Ways and Means, (Bill Scheduled for Hearing)
- SB348 RESIDENTIAL HARASSMENT (BALDWIN S) Makes it residential harassment, a Class C misdemeanor, to picket or protest before or about a person's dwelling with the intent of harassing the person in the person's dwelling. Specifies that a person may only be taken into custody for the offense if the person refused an order to disperse.  
*Current Status:* 3/7/2023 - added as cosponsor Representative Prescott
- SB349 OVERLAPPING ALLOCATION AREAS (BALDWIN S) Permits counties and municipalities in a case in which a municipality annexes an area in the county after the county has established a redevelopment district in that area to approve ordinances regarding the allocation of property tax proceeds derived from the municipality's component of the tax rate applied to the allocation area to be transferred to the redevelopment commission of the annexing municipality.  
*Current Status:* 2/28/2023 - Referred to House Ways and Means

- SB350 PROFESSIONAL LICENSING (RAATZ J) Provides that a unit may not regulate behavioral health and human services that are: (1) licensed or certified; or (2) exempted from licensure or certification; by the behavioral health and human services licensing board.  
*Current Status:* 4/3/2023 - Senate Bills on Second Reading
- SB374 REGIONAL WATER, SEWAGE, OR SOLID WASTE DISTRICTS (KOCH E) Increases the maximum amount that may be paid to a member of the board of trustees of a regional water, sewage, or solid waste district from \$50 to \$150 per day. Removes a provision that allows for the payment of not more than \$125 per day to members of the board of trustees of a regional water and sewage district that meets certain requirements.  
*Current Status:* 3/29/2023 - Signed by the President of the Senate
- SB379 DRUG SCHEDULES (SANDLIN J) Adds specified substances to the list of controlled substances. Defines "fentanyl containing substance" and increases the penalty for dealing a drug that is a fentanyl containing substance.  
*Current Status:* 3/14/2023 - Third reading passed; Roll Call 262: yeas 92, nays 1
- SB388 FOOD AND BEVERAGE TAXES (HOLDMAN T) Requires each local unit that imposes a food and beverage tax to annually report information concerning distributions and expenditures of amounts received from the food and beverage tax. Authorizes the city of Columbia City to impose a food and beverage tax.  
*Current Status:* 3/29/2023 - House Ways and Means, (Bill Scheduled for Hearing)
- SB390 COMMERCIAL SOLAR AND WIND ENERGY READY COMMUNITIES (MESSMER M) Provides that the commercial solar and wind energy ready communities development center (center) may be established within the Indiana office of energy development (office). Provides that the center, if established, shall: (1) provide comprehensive, easily accessible information concerning permits required for commercial solar projects and wind power projects; and (2) work with permit authorities concerning those projects. Requires the center to create and administer a program to certify counties and municipalities as commercial solar energy ready communities and wind energy ready communities. Requires the office to certify a county or municipality as a commercial solar energy ready community or a wind energy ready community if the county or municipality meets certain requirements, including the adoption of a commercial solar regulation or wind power regulation that includes standards that are not more restrictive than the default standards established by Indiana law. Provides that a commercial solar and wind energy ready communities incentive fund (fund) may be established by the office. Provides that if: (1) a county or municipality receives certification as a commercial solar energy ready community or a wind energy ready community; (2) a project owner constructs a commercial solar project or wind power project in the county or municipality; (3) the fund is established; and (4) there is a sufficient balance in the fund; the office may authorize the county or municipality to receive from the fund, for a period of 10 years, \$1 per megawatt hour of electricity generated by the commercial solar project or wind power project.  
*Current Status:* 3/28/2023 - Third reading passed; Roll Call 315: yeas 86, nays 8
- SB412 NATURAL RESOURCES MATTERS (GLICK S) Provides, for purposes of the oil and gas law (which requires the natural resources commission to adopt rules to prevent waste and prohibits actions in the extraction of coal bed methane that would waste commercially minable coal resources), that the term "waste" does not include capturing and destroying coal bed methane for a commercial purpose, including the generation of carbon credits. Authorizes the division of water (division) of the department of natural resources (department) to file, in the deed records of a county recorder's office, an affidavit stating that a violation or deficiency that is the subject of an enforcement action for a structure that is classified by the department as a high hazard structure exists on a particular property in the county. Provides that the affidavit must: (1) include a sworn statement that a violation or deficiency exists on the property that is the subject of the notice of violation; (2) be recorded by the county recorder in the deed records of the county; (3) be designed and worded so as to provide notice to the public; and (4) include certain details about the property and current owner. Requires the department to file a release of the affidavit with the county when the violation or deficiency is resolved to remove the affidavit from the deed records of the county. Requires: (1) the division to pay for recording an affidavit; and (2) the department to pay for recording a release of the affidavit. Amends the law requiring the natural resources commission to adopt certain rules concerning lakes and reservoirs. Amends the flood control law, which requires a permit to create or maintain a structure, obstruction, deposit, or excavation in a floodway, to: (1) require a person who files a permit application to provide documentation of the person's ownership of the site where the proposed work will be performed or an affidavit from the owner of the site authorizing the performance of the proposed work; (2) allow an applicant to file an amendment to the person's permit application; and (3) provide that two or more persons may jointly apply for a permit. Amends the floodplain management law to: (1) require a permit for the creation, use, or maintenance of a structure, obstruction, deposit, or excavation on any state owned property or state managed property in a floodplain; and (2) provide that the lowest floor of any structure erected on state owned property or state managed property in a floodplain must be at least two feet above the 100 year frequency flood elevation. Amends the timber buyers law to provide that information in a timber buyer's records about

the timber buyer's transactions with a particular timber grower may be disclosed to that timber grower. Requires the natural resources commission to hold a meeting at least once every five years with officials of counties and municipalities for flood plain management purposes. Provides that after June 30, 2023, a person who applies to a local floodplain administrator for a permit authorizing a structure or construction activity in or near a floodplain may elect that either the best available data as provided by the department or an engineering study provided by the applicant that is reviewed and approved according to the unit's ordinance for flood hazard areas will be used in reviewing the person's application. Provides that officials of a county or municipality may voluntarily request to meet with the natural resources commission on a periodic basis to further the objectives of the flood plain management law. Requires the natural resources commission to review and timely respond to any request from a county or municipality to revise the delineation of a flood hazard area. Authorizes the Little Calumet River basin development commission to make bank improvements and remove sediment and flood-causing debris within the Little Calumet River basin development commission's jurisdiction, subject only to the authority of the United States Army Corps of Engineers. Requires the department to coordinate with local governmental agencies for purposes of a seawall or revetment permit process. Provides that if a local governmental agency does not approve or deny the seawall or revetment permit within 30 business days, the permit is automatically approved and considered issued to the person. Makes conforming changes.

*Current Status:* 3/28/2023 - Third reading passed; Roll Call 316: yeas 89, nays 4

SB414

ONSITE SEWAGE SYSTEMS AND HOLDING TANKS (BYRNE G) Changes the definition of class III wetlands. Defines "onsite residential sewage discharging disposal system" to provide that the term includes a system that employs advanced treatment components not used in standard septic systems to reduce the concentration of the pathogenic constituents of the effluent to an acceptable level before the effluent is discharged. Allows point source discharge of treated sewage from an onsite residential sewage discharging disposal system to provide that the law applies to any county onsite waste management district instead of applying only to one particular county. Allows a local health department to issue an operating permit for an onsite residential sewage discharging disposal system within a county onsite waste management district: (1) to authorize the technical review panel, the Indiana department of health, or the environmental rules board to adopt guidelines for purposes of guiding local health departments in taking the actions and making the determinations required when issuing an operating permit for an onsite residential sewage discharging disposal system; (2) to provide that, if the amendment of the National Pollutant Discharge Elimination System (NPDES) general permit issued by the department of environmental management for the purposes of the county onsite waste management district law is necessary or advisable to enable onsite waste management districts established after June 30, 2023, to function properly and effectively, the department shall amend the general permit as soon as reasonably possible after June 30, 2023; and (3) to authorize the county executives of two or more counties to establish a single county onsite waste management district by entering into an interlocal cooperation agreement. Provides that septage that originates from a residential or commercial source may be held in one or more holding tanks of not more than 10,000 gallons until removed and transported from the site. Establishes requirements for septage holding tanks. Requires a permit from the local health department for the operation of a septage holding tank. Requires a septage tank owner to enter into a written contract with a septage management vehicle operator for regular removal of septage from the tank, to provide a copy of the contract to the local health department, and to provide proof to the local health department that the tank owner is regularly paying for the removal of septage from the holding tank. Requires a local health department to report to IDEM concerning the septage tanks in its jurisdiction.

*Current Status:* 3/28/2023 - Third reading passed; Roll Call 317: yeas 62, nays 31

SB417

VARIOUS TAX MATTERS (BALDWIN S) Makes certain changes to the nonprofit organization sales tax exemption threshold after which nonprofit organizations are required to collect state sales tax. Authorizes a county to impose a local income tax (LIT) rate for county staff expenses of the state judicial system in the county. Provides that the expenses paid from the LIT revenue may not comprise more than 50% of the county's total budgeted operational staffing expenses related to the state judicial system in any given year. Requires certain reporting requirements related to the use of the LIT revenue. Specifies a three business day grace period following the postmark date of a document during which the department of state revenue will consider the document received to be timely filed for purposes of a due date. Makes certain changes to the nonprofit organization sales tax exemption threshold after which nonprofit organizations are required to collect state sales tax.

*Current Status:* 4/3/2023 - Senate Bills on Second Reading

SB419

STATE TAX MATTERS (HOLDMAN T) Makes certain changes regarding net operating losses for purposes of determining state adjusted gross income. Provides that certain amounts for providing or expanding access to broadband service in Indiana may be subtracted from a taxpayer's state corporate adjusted gross income. Provides for successor liability for certain unpaid taxes following a business asset sale. Repeals an outdated provision requiring separate exemption certificates for manufacturers and wholesalers. Makes a clarifying change to the sales tax exemption that applies to power subsidiaries. Clarifies the acquisition date for purposes of adding back interest from tax exempt bonds issued by another state in determining Indiana adjusted gross income. Amends provisions regarding the exemption for certain income derived from patents. Provides that tax paid by an electing partnership is deposited in the state general fund. Makes clarifying changes and technical corrections to the affordable and workforce housing

tax credit. Specifies the deposit and distribution of interest and penalties associated with certain taxes. Authorizes the department of state revenue to publish or disclose the status of a governmental or nonprofit entity's sales tax exemption certificate. Provides that a person who knowingly or intentionally sells, purchases, installs, transfers, or possesses: (1) an automated sales suppression device or a zipper; or (2) phantom-ware; commits a Level 5 felony. Makes clarifying and technical corrections to provisions under the electronic cigarette tax.

*Current Status:* 3/16/2023 - added as cosponsor Representative Porter

- SB424 LAKE MICHIGAN RESCUE EQUIPMENT (POL R) Requires the owner of a pier or public access site on Lake Michigan to install public rescue equipment, including at least one ring life buoy, on the pier or public access site. Establishes requirements concerning ring life buoys installed on piers and public access sites. Provides that the end of the buoy line must not be secured to the shore. Requires a unit of local government that owns one or more piers or public access sites on Lake Michigan, at least twice per year, to publish on the unit's website a report on lakefront drownings that occur within 50 feet of the unit's piers or public access sites. Provides that if more than one fatal drowning occurs not more than 50 feet from a particular pier or public access site in a span of five years, the owner of the pier or public access site: (1) disseminate in the area of the pier or public access site a water safety plan pertaining to the pier or public access site; and (2) upgrade the public rescue equipment installed on the pier or public access site, such as by installing equipment that automatically contacts the local 911 service in an emergency.
- Current Status:* 3/6/2023 - Referred to House Natural Resources
- SB428 FOOD AND BEVERAGE TAXES (MESSMER M) Authorizes the following municipalities to impose a food and beverage tax: (1) The town of Merrillville. (2) The city of Jasper.
- Current Status:* 3/29/2023 - House Ways and Means, (Bill Scheduled for Hearing)
- SB434 ECONOMIC DEVELOPMENT IN LAKE COUNTY (MELTON E) Establishes the blighted property demolition fund (demolition fund). Provides that the Indiana housing and community development authority shall administer the demolition fund. Allows the city of Gary to apply to receive a grant from the demolition fund for assistance in paying the costs associated with demolishing a qualified property. Establishes the Lake County convention and economic development fund (development fund). Specifies permissible uses for money in the development fund and requires the northwest Indiana regional development authority (development authority) to submit a plan regarding certain fiscal and administrative matters to the Lake County council. Provides that: (1) the development authority shall administer the development fund; and (2) budget committee review is required before any money may be released from the development fund. Beginning after June 30, 2025, requires the department of state revenue to deposit (subject to a local match requirement) up to \$10,000,000 in each state fiscal year of the riverboat wagering tax revenue collected from a riverboat operating within the city of Gary in the development fund. Requires budget committee review before any riverboat wagering tax revenue collected may be: (1) locally matched; and (2) released from the development fund. Allows the Lake County fiscal body to adopt an increase in the county innkeeper's tax. Provides that part of the revenue from an increase in the county innkeeper's tax must be deposited in the development fund. Provides for the expiration of the following provisions: (1) The deposit of riverboat wagering tax revenue into the development fund. (2) The authorization to adopt an ordinance to increase the Lake County innkeeper's tax rate. (3) The: (A) development fund; and (B) demolition fund.
- Current Status:* 3/29/2023 - House Ways and Means, (Bill Scheduled for Hearing)
- SB445 ELECTRONIC MONITORING STANDARDS (WALKER K) Permits the justice reinvestment advisory council to develop electronic monitoring standards and to submit an annual report as to the standards. Permits the justice reinvestment advisory council to conduct a workload study of electronic monitoring and home detention, make certain findings, and submit a report to the legislative council not later than July 1, 2025. Provides that a contract employee of a supervising agency is required to notify the supervising agency of certain actions with respect to a tracked individual not later than 12 hours after the action occurs. Requires this notification to be sent within 15 minutes if the tracked individual is serving a sentence for a crime of violence or a crime of domestic or sexual violence, and additionally requires the supervising agency to notify a vulnerable victim and request law enforcement to perform a welfare check, if there is a vulnerable victim. Specifies that a supervising agency must include in a quarterly report the number of tracked individuals who are on parole supervision and the number of false location alerts, device malfunctions, or both. Provides that a local supervising agency shall report directly to the local justice reinvestment advisory council each quarter, and that the division of parole services shall report to the statewide justice reinvestment advisory council each quarter. Requires the statewide justice reinvestment advisory council to transmit an annual electronic report to the legislative council and to the judicial conference of Indiana not later than March 15 of each year.
- Current Status:* 3/29/2023 - Signed by the President of the Senate
- SB449 REGULATION OF COMBINED SEWER OVERFLOWS (ROGERS L) Provides that if an NPDES permit holder has submitted an approved long term control plan for its combined sewers, water samples used to assess the permit holder's compliance with water quality standards and water quality based effluent limitations for discharges from combined sewer overflows must not be collected: (1) within 96 hours after a combined sewer overflow discharge that

is consistent with the approved long term control plan; or (2) during or following excessive precipitation conditions. Requires the environmental rules board to adopt rules, including emergency rules, to implement the limitation on water samples used to assess a permit holder's compliance.

*Current Status:* 2/28/2023 - Referred to House Environmental Affairs

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